



Rep. Barbara Flynn Currie

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LRB097 20447 PJG 70499 a

1 AMENDMENT TO SENATE BILL 3802

2 AMENDMENT NO. _____. Amend Senate Bill 3802, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1. SHORT TITLE; PURPOSE

6 Section 1-1. Short Title. This Act may be cited as the
7 FY2013 Budget Implementation (Supplemental) Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make
9 changes in State programs that are necessary to implement the
10 Governor's fiscal year 2013 budget recommendations.

11 ARTICLE 5. AMENDATORY PROVISIONS

12 Section 5-5. The Department of Commerce and Economic
13 Opportunity Law of the Civil Administrative Code of Illinois is

1 amended by changing Sections 605-705 and 605-707 as follows:

2 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

3 Sec. 605-705. Grants to local tourism and convention
4 bureaus.

5 (a) To establish a grant program for local tourism and
6 convention bureaus. The Department will develop and implement a
7 program for the use of funds, as authorized under this Act, by
8 local tourism and convention bureaus. For the purposes of this
9 Act, bureaus eligible to receive funds are those local tourism
10 and convention bureaus that are (i) either units of local
11 government or incorporated as not-for-profit organizations;
12 (ii) in legal existence for a minimum of 2 years before July 1,
13 2001; (iii) operating with a paid, full-time staff whose sole
14 purpose is to promote tourism in the designated service area;
15 and (iv) affiliated with one or more municipalities or counties
16 that support the bureau with local hotel-motel taxes. After
17 July 1, 2001, bureaus requesting certification in order to
18 receive funds for the first time must be local tourism and
19 convention bureaus that are (i) either units of local
20 government or incorporated as not-for-profit organizations;
21 (ii) in legal existence for a minimum of 2 years before the
22 request for certification; (iii) operating with a paid,
23 full-time staff whose sole purpose is to promote tourism in the
24 designated service area; and (iv) affiliated with multiple
25 municipalities or counties that support the bureau with local

1 hotel-motel taxes. Each bureau receiving funds under this Act
2 will be certified by the Department as the designated recipient
3 to serve an area of the State. Notwithstanding the criteria set
4 forth in this subsection (a), or any rule adopted under this
5 subsection (a), the Director of the Department may provide for
6 the award of grant funds to one or more entities if in the
7 Department's judgment that action is necessary in order to
8 prevent a loss of funding critical to promoting tourism in a
9 designated geographic area of the State.

10 (b) To distribute grants to local tourism and convention
11 bureaus from appropriations made from the Local Tourism Fund
12 for that purpose. Of the amounts appropriated annually to the
13 Department for expenditure under this Section prior to July 1,
14 2011, one-third of those monies shall be used for grants to
15 convention and tourism bureaus in cities with a population
16 greater than 500,000. The remaining two-thirds of the annual
17 appropriation prior to July 1, 2011 shall be used for grants to
18 convention and tourism bureaus in the remainder of the State,
19 in accordance with a formula based upon the population served.
20 Of the amounts appropriated annually to the Department for
21 expenditure under this Section beginning July 1, 2011, 18% of
22 such moneys shall be used for grants to convention and tourism
23 bureaus in cities with a population greater than 500,000. Of
24 the amounts appropriated annually to the Department for
25 expenditure under this Section beginning July 1, 2011, 82% of
26 such moneys shall be used for grants to convention bureaus in

1 the remainder of the State, in accordance with a formula based
2 upon the population served. The Department may reserve up to
3 10% of total local tourism funds available for costs of
4 administering the program to conduct audits of grants, to
5 provide incentive funds to those bureaus that will conduct
6 promotional activities designed to further the Department's
7 statewide advertising campaign, to fund special statewide
8 promotional activities, and to fund promotional activities
9 that support an increased use of the State's parks or historic
10 sites. During fiscal year 2013, the Department shall require
11 that any convention and tourism bureau receiving a grant under
12 this Section that requires matching funds shall provide
13 matching funds equal to no less than 50% of the grant amount.
14 During fiscal year 2013, the Department shall reserve
15 \$2,000,000 of the available local tourism funds for
16 appropriation to the Historic Preservation Agency for the
17 operation of the Abraham Lincoln Presidential Library and
18 Museum and State historic sites.

19 (Source: P.A. 97-617, eff. 10-26-11.)

20 (20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

21 Sec. 605-707. International Tourism Program.

22 (a) The Department of Commerce and Economic Opportunity
23 must establish a program for international tourism. The
24 Department shall develop and implement the program on January
25 1, 2000 by rule. As part of the program, the Department may

1 work in cooperation with local convention and tourism bureaus
2 in Illinois in the coordination of international tourism
3 efforts at the State and local level. The Department may (i)
4 work in cooperation with local convention and tourism bureaus
5 for efficient use of their international tourism marketing
6 resources, (ii) promote Illinois in international meetings and
7 tourism markets, (iii) work with convention and tourism bureaus
8 throughout the State to increase the number of international
9 tourists to Illinois, (iv) provide training, research,
10 technical support, and grants to certified convention and
11 tourism bureaus, (v) provide staff, administration, and
12 related support required to manage the programs under this
13 Section, and (vi) provide grants for the development of or the
14 enhancement of international tourism attractions.

15 (b) The Department shall make grants for expenses related
16 to international tourism and pay for the staffing,
17 administration, and related support from the International
18 Tourism Fund, a special fund created in the State Treasury. Of
19 the amounts deposited into the Fund in fiscal year 2000 after
20 January 1, 2000 through fiscal year 2011, 55% shall be used for
21 grants to convention and tourism bureaus in Chicago (other than
22 the City of Chicago's Office of Tourism) and 45% shall be used
23 for development of international tourism in areas outside of
24 Chicago. Of the amounts deposited into the Fund in fiscal year
25 2001 and thereafter, 55% shall be used for grants to convention
26 and tourism bureaus in Chicago, and of that amount not less

1 than 27.5% shall be used for grants to convention and tourism
2 bureaus in Chicago other than the City of Chicago's Office of
3 Tourism, and 45% shall be used for administrative expenses and
4 grants authorized under this Section and development of
5 international tourism in areas outside of Chicago, of which not
6 less than \$1,000,000 shall be used annually to make grants to
7 convention and tourism bureaus in cities other than Chicago
8 that demonstrate their international tourism appeal and
9 request to develop or expand their international tourism
10 marketing program, and may also be used to provide grants under
11 item (vi) of subsection (a) of this Section. All of the amounts
12 deposited into the Fund in fiscal year 2012 and thereafter
13 shall be used for administrative expenses and grants authorized
14 under this Section and development of international tourism in
15 areas outside of Chicago, of which not less than \$1,000,000
16 shall be used annually to make grants to convention and tourism
17 bureaus in cities other than Chicago that demonstrate their
18 international tourism appeal and request to develop or expand
19 their international tourism marketing program, and may also be
20 used to provide grants under item (vi) of subsection (a) of
21 this Section. Amounts appropriated to the State Comptroller for
22 administrative expenses and grants authorized by the Illinois
23 Global Partnership Act are payable from the International
24 Tourism Fund.

25 (c) A convention and tourism bureau is eligible to receive
26 grant moneys under this Section if the bureau is certified to

1 receive funds under Title 14 of the Illinois Administrative
2 Code, Section 550.35. To be eligible for a grant, a convention
3 and tourism bureau must provide matching funds equal to the
4 grant amount. During fiscal year 2013, the Department shall
5 require that any convention and tourism bureau receiving a
6 grant under this Section that requires matching funds shall
7 provide matching funds equal to no less than 50% of the grant
8 amount. In certain circumstances as determined by the Director
9 of Commerce and Economic Opportunity, however, the City of
10 Chicago's Office of Tourism or any other convention and tourism
11 bureau may provide matching funds equal to no less than 50% of
12 the grant amount to be eligible to receive the grant. One-half
13 of this 50% may be provided through in-kind contributions.
14 Grants received by the City of Chicago's Office of Tourism and
15 by convention and tourism bureaus in Chicago may be expended
16 for the general purposes of promoting conventions and tourism.
17 (Source: P.A. 97-617, eff. 10-26-11.)

18 Section 5-10. The Illinois Promotion Act is amended by
19 changing Section 4a as follows:

20 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

21 Sec. 4a. Funds.

22 (1) All moneys deposited in the Tourism Promotion Fund
23 pursuant to this subsection are allocated to the Department for
24 utilization, as appropriated, in the performance of its powers

1 under Section 4; except that during fiscal year 2013, the
2 Department shall reserve \$9,800,000 of the total funds
3 available for appropriation in the Tourism Promotion Fund for
4 appropriation to the Historic Preservation Agency for the
5 operation of the Abraham Lincoln Presidential Library and
6 Museum and State historic sites.

7 As soon as possible after the first day of each month,
8 beginning July 1, 1997, upon certification of the Department of
9 Revenue, the Comptroller shall order transferred and the
10 Treasurer shall transfer from the General Revenue Fund to the
11 Tourism Promotion Fund an amount equal to 13% of the net
12 revenue realized from the Hotel Operators' Occupation Tax Act
13 plus an amount equal to 13% of the net revenue realized from
14 any tax imposed under Section 4.05 of the Chicago World's
15 Fair-1992 Authority Act during the preceding month. "Net
16 revenue realized for a month" means the revenue collected by
17 the State under that Act during the previous month less the
18 amount paid out during that same month as refunds to taxpayers
19 for overpayment of liability under that Act.

20 (1.1) (Blank).

21 (2) As soon as possible after the first day of each month,
22 beginning July 1, 1997, upon certification of the Department of
23 Revenue, the Comptroller shall order transferred and the
24 Treasurer shall transfer from the General Revenue Fund to the
25 Tourism Promotion Fund an amount equal to 8% of the net revenue
26 realized from the Hotel Operators' Occupation Tax plus an

1 amount equal to 8% of the net revenue realized from any tax
2 imposed under Section 4.05 of the Chicago World's Fair-1992
3 Authority Act during the preceding month. "Net revenue realized
4 for a month" means the revenue collected by the State under
5 that Act during the previous month less the amount paid out
6 during that same month as refunds to taxpayers for overpayment
7 of liability under that Act.

8 All monies deposited in the Tourism Promotion Fund under
9 this subsection (2) shall be used solely as provided in this
10 subsection to advertise and promote tourism throughout
11 Illinois. Appropriations of monies deposited in the Tourism
12 Promotion Fund pursuant to this subsection (2) shall be used
13 solely for advertising to promote tourism, including but not
14 limited to advertising production and direct advertisement
15 costs, but shall not be used to employ any additional staff,
16 finance any individual event, or lease, rent or purchase any
17 physical facilities. The Department shall coordinate its
18 advertising under this subsection (2) with other public and
19 private entities in the State engaged in similar promotion
20 activities. Print or electronic media production made pursuant
21 to this subsection (2) for advertising promotion shall not
22 contain or include the physical appearance of or reference to
23 the name or position of any public officer. "Public officer"
24 means a person who is elected to office pursuant to statute, or
25 who is appointed to an office which is established, and the
26 qualifications and duties of which are prescribed, by statute,

1 to discharge a public duty for the State or any of its
2 political subdivisions.

3 (3) Notwithstanding anything in this Section to the
4 contrary, amounts transferred from the General Revenue Fund to
5 the Tourism Promotion Fund pursuant to this Section shall not
6 exceed \$26,300,000 in State fiscal year 2012.

7 (Source: P.A. 97-641, eff. 12-19-11.)

8 Section 5-15. The Mental Health and Developmental
9 Disabilities Administrative Act is amended by adding Section
10 18.7 as follows:

11 (20 ILCS 1705/18.7 new)

12 Sec. 18.7. Home Services Medicaid Trust Fund.

13 (a) The Home Services Medicaid Trust Fund is hereby created
14 as a special fund in the State treasury.

15 (b) Amounts paid to the State during each State fiscal year
16 by the federal government under Title XIX or Title XXI of the
17 Social Security Act for services delivered in relation to the
18 Department's Home Services Program established pursuant to
19 Section 3 of the Disabled Persons Rehabilitation Act, and any
20 interest earned thereon, shall be deposited into the Fund.

21 (c) Moneys in the Fund may be used by the Department for
22 the purchase of services, and operational and administrative
23 expenses, in relation to the Home Services Program.

1 Section 5-20. The Disabled Persons Rehabilitation Act is
2 amended by changing Section 3 as follows:

3 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

4 Sec. 3. Powers and duties. The Department shall have the
5 powers and duties enumerated herein:

6 (a) To co-operate with the federal government in the
7 administration of the provisions of the federal Rehabilitation
8 Act of 1973, as amended, of the Workforce Investment Act of
9 1998, and of the federal Social Security Act to the extent and
10 in the manner provided in these Acts.

11 (b) To prescribe and supervise such courses of vocational
12 training and provide such other services as may be necessary
13 for the habilitation and rehabilitation of persons with one or
14 more disabilities, including the administrative activities
15 under subsection (e) of this Section, and to co-operate with
16 State and local school authorities and other recognized
17 agencies engaged in habilitation, rehabilitation and
18 comprehensive rehabilitation services; and to cooperate with
19 the Department of Children and Family Services regarding the
20 care and education of children with one or more disabilities.

21 (c) (Blank).

22 (d) To report in writing, to the Governor, annually on or
23 before the first day of December, and at such other times and
24 in such manner and upon such subjects as the Governor may
25 require. The annual report shall contain (1) a statement of the

1 existing condition of comprehensive rehabilitation services,
2 habilitation and rehabilitation in the State; (2) a statement
3 of suggestions and recommendations with reference to the
4 development of comprehensive rehabilitation services,
5 habilitation and rehabilitation in the State; and (3) an
6 itemized statement of the amounts of money received from
7 federal, State and other sources, and of the objects and
8 purposes to which the respective items of these several amounts
9 have been devoted.

10 (e) (Blank).

11 (f) To establish a program of services to prevent
12 unnecessary institutionalization of persons with Alzheimer's
13 disease and related disorders or persons in need of long term
14 care who are established as blind or disabled as defined by the
15 Social Security Act, thereby enabling them to remain in their
16 own homes or other living arrangements. Such preventive
17 services may include, but are not limited to, any or all of the
18 following:

- 19 (1) home health services;
- 20 (2) home nursing services;
- 21 (3) homemaker services;
- 22 (4) chore and housekeeping services;
- 23 (5) day care services;
- 24 (6) home-delivered meals;
- 25 (7) education in self-care;
- 26 (8) personal care services;

- 1 (9) adult day health services;
- 2 (10) habilitation services;
- 3 (11) respite care; or
- 4 (12) other nonmedical social services that may enable
- 5 the person to become self-supporting.

6 The Department shall establish eligibility standards for
7 such services taking into consideration the unique economic and
8 social needs of the population for whom they are to be
9 provided. Such eligibility standards may be based on the
10 recipient's ability to pay for services; provided, however,
11 that any portion of a person's income that is equal to or less
12 than the "protected income" level shall not be considered by
13 the Department in determining eligibility. The "protected
14 income" level shall be determined by the Department, shall
15 never be less than the federal poverty standard, and shall be
16 adjusted each year to reflect changes in the Consumer Price
17 Index For All Urban Consumers as determined by the United
18 States Department of Labor. The standards must provide that a
19 person may have not more than \$10,000 in assets to be eligible
20 for the services, and the Department may increase the asset
21 limitation by rule. Additionally, in determining the amount and
22 nature of services for which a person may qualify,
23 consideration shall not be given to the value of cash, property
24 or other assets held in the name of the person's spouse
25 pursuant to a written agreement dividing marital property into
26 equal but separate shares or pursuant to a transfer of the

1 person's interest in a home to his spouse, provided that the
2 spouse's share of the marital property is not made available to
3 the person seeking such services.

4 The services shall be provided to eligible persons to
5 prevent unnecessary or premature institutionalization, to the
6 extent that the cost of the services, together with the other
7 personal maintenance expenses of the persons, are reasonably
8 related to the standards established for care in a group
9 facility appropriate to their condition. These
10 non-institutional services, pilot projects or experimental
11 facilities may be provided as part of or in addition to those
12 authorized by federal law or those funded and administered by
13 the Illinois Department on Aging. The Department shall set
14 rates and fees for services in a fair and equitable manner.
15 Services identical to those offered by the Department on Aging
16 shall be paid at the same rate.

17 Personal care attendants shall be paid:

18 (i) A \$5 per hour minimum rate beginning July 1, 1995.

19 (ii) A \$5.30 per hour minimum rate beginning July 1,
20 1997.

21 (iii) A \$5.40 per hour minimum rate beginning July 1,
22 1998.

23 Solely for the purposes of coverage under the Illinois
24 Public Labor Relations Act (5 ILCS 315/), personal care
25 attendants and personal assistants providing services under
26 the Department's Home Services Program shall be considered to

1 be public employees and the State of Illinois shall be
2 considered to be their employer as of the effective date of
3 this amendatory Act of the 93rd General Assembly, but not
4 before. The State shall engage in collective bargaining with an
5 exclusive representative of personal care attendants and
6 personal assistants working under the Home Services Program
7 concerning their terms and conditions of employment that are
8 within the State's control. Nothing in this paragraph shall be
9 understood to limit the right of the persons receiving services
10 defined in this Section to hire and fire personal care
11 attendants and personal assistants or supervise them within the
12 limitations set by the Home Services Program. The State shall
13 not be considered to be the employer of personal care
14 attendants and personal assistants for any purposes not
15 specifically provided in this amendatory Act of the 93rd
16 General Assembly, including but not limited to, purposes of
17 vicarious liability in tort and purposes of statutory
18 retirement or health insurance benefits. Personal care
19 attendants and personal assistants shall not be covered by the
20 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

21 The Department shall execute, relative to the nursing home
22 prescreening project, as authorized by Section 4.03 of the
23 Illinois Act on the Aging, written inter-agency agreements with
24 the Department on Aging and the Department of Public Aid (now
25 Department of Healthcare and Family Services), to effect the
26 following: (i) intake procedures and common eligibility

1 criteria for those persons who are receiving non-institutional
2 services; and (ii) the establishment and development of
3 non-institutional services in areas of the State where they are
4 not currently available or are undeveloped. On and after July
5 1, 1996, all nursing home prescreenings for individuals 18
6 through 59 years of age shall be conducted by the Department.

7 The Department is authorized to establish a system of
8 recipient cost-sharing for services provided under this
9 Section. The cost-sharing shall be based upon the recipient's
10 ability to pay for services, but in no case shall the
11 recipient's share exceed the actual cost of the services
12 provided. Protected income shall not be considered by the
13 Department in its determination of the recipient's ability to
14 pay a share of the cost of services. The level of cost-sharing
15 shall be adjusted each year to reflect changes in the
16 "protected income" level. The Department shall deduct from the
17 recipient's share of the cost of services any money expended by
18 the recipient for disability-related expenses.

19 The Department, or the Department's authorized
20 representative, shall recover the amount of moneys expended for
21 services provided to or in behalf of a person under this
22 Section by a claim against the person's estate or against the
23 estate of the person's surviving spouse, but no recovery may be
24 had until after the death of the surviving spouse, if any, and
25 then only at such time when there is no surviving child who is
26 under age 21, blind, or permanently and totally disabled. This

1 paragraph, however, shall not bar recovery, at the death of the
2 person, of moneys for services provided to the person or in
3 behalf of the person under this Section to which the person was
4 not entitled; provided that such recovery shall not be enforced
5 against any real estate while it is occupied as a homestead by
6 the surviving spouse or other dependent, if no claims by other
7 creditors have been filed against the estate, or, if such
8 claims have been filed, they remain dormant for failure of
9 prosecution or failure of the claimant to compel administration
10 of the estate for the purpose of payment. This paragraph shall
11 not bar recovery from the estate of a spouse, under Sections
12 1915 and 1924 of the Social Security Act and Section 5-4 of the
13 Illinois Public Aid Code, who precedes a person receiving
14 services under this Section in death. All moneys for services
15 paid to or in behalf of the person under this Section shall be
16 claimed for recovery from the deceased spouse's estate.
17 "Homestead", as used in this paragraph, means the dwelling
18 house and contiguous real estate occupied by a surviving spouse
19 or relative, as defined by the rules and regulations of the
20 Department of Healthcare and Family Services, regardless of the
21 value of the property.

22 The Department and the Department on Aging shall cooperate
23 in the development and submission of an annual report on
24 programs and services provided under this Section. Such joint
25 report shall be filed with the Governor and the General
26 Assembly on or before March 30 each year.

1 The requirement for reporting to the General Assembly shall
2 be satisfied by filing copies of the report with the Speaker,
3 the Minority Leader and the Clerk of the House of
4 Representatives and the President, the Minority Leader and the
5 Secretary of the Senate and the Legislative Research Unit, as
6 required by Section 3.1 of the General Assembly Organization
7 Act, and filing additional copies with the State Government
8 Report Distribution Center for the General Assembly as required
9 under paragraph (t) of Section 7 of the State Library Act.

10 (g) To establish such subdivisions of the Department as
11 shall be desirable and assign to the various subdivisions the
12 responsibilities and duties placed upon the Department by law.

13 (h) To cooperate and enter into any necessary agreements
14 with the Department of Employment Security for the provision of
15 job placement and job referral services to clients of the
16 Department, including job service registration of such clients
17 with Illinois Employment Security offices and making job
18 listings maintained by the Department of Employment Security
19 available to such clients.

20 (i) To possess all powers reasonable and necessary for the
21 exercise and administration of the powers, duties and
22 responsibilities of the Department which are provided for by
23 law.

24 (j) To establish a procedure whereby new providers of
25 personal care attendant services shall submit vouchers to the
26 State for payment two times during their first month of

1 employment and one time per month thereafter. In no case shall
2 the Department pay personal care attendants an hourly wage that
3 is less than the federal minimum wage.

4 (k) To provide adequate notice to providers of chore and
5 housekeeping services informing them that they are entitled to
6 an interest payment on bills which are not promptly paid
7 pursuant to Section 3 of the State Prompt Payment Act.

8 (l) To establish, operate and maintain a Statewide Housing
9 Clearinghouse of information on available, government
10 subsidized housing accessible to disabled persons and
11 available privately owned housing accessible to disabled
12 persons. The information shall include but not be limited to
13 the location, rental requirements, access features and
14 proximity to public transportation of available housing. The
15 Clearinghouse shall consist of at least a computerized database
16 for the storage and retrieval of information and a separate or
17 shared toll free telephone number for use by those seeking
18 information from the Clearinghouse. Department offices and
19 personnel throughout the State shall also assist in the
20 operation of the Statewide Housing Clearinghouse. Cooperation
21 with local, State and federal housing managers shall be sought
22 and extended in order to frequently and promptly update the
23 Clearinghouse's information.

24 (m) To assure that the names and case records of persons
25 who received or are receiving services from the Department,
26 including persons receiving vocational rehabilitation, home

1 services, or other services, and those attending one of the
2 Department's schools or other supervised facility shall be
3 confidential and not be open to the general public. Those case
4 records and reports or the information contained in those
5 records and reports shall be disclosed by the Director only to
6 proper law enforcement officials, individuals authorized by a
7 court, the General Assembly or any committee or commission of
8 the General Assembly, and other persons and for reasons as the
9 Director designates by rule. Disclosure by the Director may be
10 only in accordance with other applicable law.

11 (Source: P.A. 94-252, eff. 1-1-06; 95-331, eff. 8-21-07.)

12 Section 5-25. The State Finance Act is amended by changing
13 Sections 6z-21, 6z-27, 6z-30, 6z-45, 6z-81, 6z-82, 8.3, and 25
14 and by adding Sections 5.811, 5.812, 5.813, 6z-93, and 8g-1 as
15 follows:

16 (30 ILCS 105/5.811 new)

17 Sec. 5.811. The Home Services Medicaid Trust Fund.

18 (30 ILCS 105/5.812 new)

19 Sec. 5.812. The Estate Tax Refund Fund.

20 (30 ILCS 105/5.813 new)

21 Sec. 5.813. The FY13 Backlog Payment Fund.

1 (30 ILCS 105/6z-21) (from Ch. 127, par. 142z-21)

2 Sec. 6z-21. Education Assistance Fund; transfers to and
3 from the Education Assistance Fund. All monies deposited into
4 the Education Assistance Fund, a special fund in the State
5 treasury which is hereby created, shall be appropriated to
6 provide financial assistance for elementary and secondary
7 education programs including, among others, distributions
8 under Section 18-19 of The School Code, and for higher
9 education programs. During fiscal years 2012 and 2013 only, the
10 State Comptroller may order transferred and the State Treasurer
11 may transfer from the General Revenue Fund to the Education
12 Assistance Fund, or the State Comptroller may order transferred
13 and the State Treasurer may transfer from the Education
14 Assistance Fund to the General Revenue Fund, such amounts as
15 may be required to honor the vouchers presented by the State
16 Universities Retirement System, by a public institution of
17 higher education, as defined in Section 1 of the Board of
18 Higher Education Act, or by the State Board of Education
19 pursuant to Sections 18-3, 18-4.3, 18-5, 18-6, and 18-7 of the
20 School Code.

21 (Source: P.A. 86-18.)

22 (30 ILCS 105/6z-27)

23 Sec. 6z-27. All moneys in the Audit Expense Fund shall be
24 transferred, appropriated and used only for the purposes
25 authorized by, and subject to the limitations and conditions

1 prescribed by, the State Auditing Act.

2 Within 30 days after the effective date of this amendatory
3 Act of 2012 ~~2011~~, the State Comptroller shall order transferred
4 and the State Treasurer shall transfer from the following funds
5 moneys in the specified amounts for deposit into the Audit
6 Expense Fund:

7 Adeline Jay Geo-Karis Illinois

8 Beach Marina Fund..... 4,825 ~~517~~

9 Aggregate Operations Regulatory Fund 507

10 Agricultural Premium Fund..... 17,505

11 Alternate Fuels Fund 641

12 Appraisal Administration Fund..... 2,555

13 Asbestos Abatement Fund..... 3,563

14 Attorney General Court Ordered and Voluntary

15 Compliance Payment Projects Fund 9,010

16 Attorney General Whistleblower Reward and

17 Protection Fund..... 7,878

18 Bank and Trust Company Fund..... 114,670

19 Brownfields Redevelopment Fund 2,874

20 Build Illinois Capital Revolving Loan Fund 966

21 Capital Development Board Revolving Fund 3,163

22 ~~Assisted Living and Shared Housing Regulatory Fund~~ ~~532~~

23 Care Provider Fund for Persons with

24 Developmental Disability 3,939 ~~12,370~~

25 Clean Air Act (CAA) Permit Fund..... 9,789

26 ~~Carolyn Adams Ticket for the Cure Grant Fund~~ ~~687~~

1	CDLIS/AAMVA Net Trust Fund	609
2	Coal Mining Regulatory Fund.....	<u>8,334</u> 884
3	<u>Coal Technology Development Assistance Fund.....</u>	<u>10,321</u>
4	Common School Fund	<u>250,850</u> 162,681
5	The Communications Revolving Fund.....	<u>33,809</u> 79,373
6	Community Health Center Care Fund.....	599
7	Community Mental Health Medicaid Trust Fund.....	<u>7,539</u> 20,824
8	<u>Corporate Franchise Tax Refund Fund.....</u>	<u>532</u>
9	<u>Corporate Headquarters Relocation Assistance Fund.....</u>	<u>2,093</u>
10	<u>Credit Union Fund.....</u>	<u>17,110</u>
11	<u>Cycle Rider Safety Training Fund</u>	<u>546</u>
12	<u>DCFS Children's Services Fund.....</u>	<u>186,660</u>
13	Death Certificate Surcharge Fund	1,917
14	Department of Business Services Special	
15	Operations Fund.....	<u>1,983</u> 4,088
16	<u>Department of Corrections Reimbursement and</u>	
17	<u>Education Fund</u>	<u>29,617</u>
18	<u>Design Professionals Administration and</u>	
19	<u>Investigation Fund</u>	<u>6,341</u>
20	<u>Digital Divide Elimination Fund.....</u>	<u>3,314</u>
21	The Downstate Public Transportation Fund	<u>19,258</u> 6,423
22	Drivers Education Fund	<u>1,491</u> 676
23	The Education Assistance Fund.....	<u>40,564</u> 40,799
24	<u>Energy Efficiency Trust Fund</u>	<u>1,946</u>
25	Emergency Public Health Fund	4,934
26	Environmental Protection Permit and	

1	Inspection Fund.....	<u>4,620</u>	913
2	Estate Tax Collection Distributive Fund.....	1,315	
3	Facilities Management Revolving Fund	<u>59,124</u>	146,649
4	<u>Fair and Exposition Fund</u>		<u>789</u>
5	<u>Federal Workforce Training Fund.....</u>		<u>141,336</u>
6	<u>Feed Control Fund.....</u>		<u>1,133</u>
7	The Fire Prevention Fund	<u>216,465</u>	4,110
8	Food and Drug Safety Fund.....	2,216	
9	General Professions Dedicated Fund	<u>28,411</u>	7,978
10	The General Revenue Fund	<u>16,043,536</u>	17,684,627
11	Grade Crossing Protection Fund	<u>4,345</u>	1,188
12	Hazardous Waste Fund	<u>5,183</u>	1,295
13	Health Facility Plan Review Fund	2,063	
14	Health and Human Services		
15	Medicaid Trust Fund.....	<u>5,758</u>	11,590
16	Healthcare Provider Relief Fund.....	<u>26,311</u>	16,458
17	<u>Home Inspector Administration Fund</u>		<u>876</u>
18	Home Care Services Agency Licensure Fund	1,025	
19	Illinois Affordable Housing Trust Fund	<u>763</u>	799
20	<u>Illinois Charity Bureau Fund</u>		<u>2,011</u>
21	Illinois Clean Water Fund.....	<u>8,592</u>	1,420
22	<u>Illinois Department of Agriculture Laboratory Services</u>		
23	<u>Revolving Fund</u>		<u>665</u>
24	<u>Illinois Fire Fighters' Memorial Fund.....</u>		<u>1,814</u>
25	<u>Illinois Forestry Development Fund</u>		<u>2,642</u>
26	<u>Illinois Gaming Law Enforcement Fund</u>		<u>1,674</u>

1	<u>Illinois Habitat Fund</u>	<u>4,192</u>
2	Illinois Health Facilities Planning Fund	2,572
3	Illinois Power Agency Trust Fund	46,305
4	Illinois Power Agency Operations Fund.....	<u>110,651</u> 30,960
5	<u>Illinois Standardbred Breeders Fund</u>	<u>1,132</u>
6	<u>Illinois State Dental Disciplinary Fund</u>	<u>6,888</u>
7	<u>Illinois State Fair Fund</u>	<u>4,673</u>
8	<u>Illinois State Medical Disciplinary Fund</u>	<u>27,524</u>
9	<u>Illinois State Pharmacy Disciplinary Fund</u>	<u>8,373</u>
10	Illinois School Asbestos Abatement Fund	1,368
11	Illinois Tax Increment Fund.....	<u>1,390</u> 751
12	<u>Illinois Thoroughbred Breeders Fund</u>	<u>1,808</u>
13	<u>Illinois Wildlife Preservation Fund</u>	<u>1,282</u>
14	Illinois Veterans Rehabilitation Fund	1,134
15	Illinois Workers' Compensation Commission	
16	Operations Fund.....	<u>2,212</u> 70,049
17	IMSA Income Fund	<u>5,326</u> 7,588
18	Income Tax Refund Fund	<u>109,482</u> 55,211
19	<u>Insurance Financial Regulation Fund</u>	<u>96,074</u>
20	<u>Insurance Premium Tax Refund Fund</u>	<u>7,589</u>
21	<u>Insurance Producer Administration Fund</u>	<u>75,222</u>
22	<u>International Tourism Fund</u>	<u>2,814</u>
23	Innovations in Long-term Care Quality Demonstration	
24	Grants Fund	3,140
25	Lead Poisoning, Screening, Prevention and	
26	Abatement Fund	5,025

1	Live and Learn Fund.....	<u>9,516</u>	18,166
2	The Local Government Distributive Fund	<u>81,356</u>	49,520
3	<u>Local Tourism Fund</u>		<u>7,095</u>
4	Long Term Care Monitor/Receiver Fund		2,365
5	Long Term Care Provider Fund		2,214
6	Low Level Radioactive Waste Facility Development and		
7	Operation Fund		3,880
8	Mandatory Arbitration Fund		2,926
9	Mental Health Fund	<u>2,806</u>	6,210
10	Metabolic Screening and Treatment Fund		19,342
11	Monitoring Device Driving Permit Administration Fee Fund		645
12	The Motor Fuel Tax Fund.....	<u>80,083</u>	31,806
13	Motor Vehicle License Plate Fund	<u>4,763</u>	8,027
14	Motor Vehicle Theft Prevention Trust Fund		59,407
15	Multiple Sclerosis Research Fund		1,830
16	Natural Areas Acquisition Fund	<u>16,001</u>	1,776
17	Nuclear Safety Emergency Preparedness Fund		216,920
18	Nursing Dedicated and Professional Fund.....	<u>10,167</u>	2,180
19	<u>Off-Highway Vehicle Trails Fund</u>		<u>794</u>
20	Open Space Lands Acquisition and		
21	Development Fund	<u>58,827</u>	7,009
22	<u>Optometric Licensing and Disciplinary Board Fund</u>		<u>1,408</u>
23	Park and Conservation Fund	<u>47,464</u>	4,857
24	Partners for Conservation Fund	<u>11,901</u>	759
25	<u>Pawnbroker Regulation Fund</u>		<u>757</u>
26	The Personal Property Tax Replacement Fund	<u>142,488</u>	47,871

1	<u>Pesticide Control Fund</u>	<u>3,903</u>
2	<u>Prisoner Review Board Vehicle and Equipment Fund</u>	<u>2,621</u>
3	Plumbing Licensure and Program Fund	3,065
4	Professional Services Fund	<u>2,029</u> 8,811
5	<u>Professions Indirect Cost Fund</u>	<u>191,548</u>
6	<u>Public Pension Regulation Fund</u>	<u>7,519</u>
7	Public Health Laboratory Services Revolving Fund	1,420
8	The Public Transportation Fund	<u>52,905</u> 18,837
9	<u>Real Estate License Administration Fund</u>	<u>26,119</u>
10	<u>Registered Certified Public Accountants' Administration</u>	
11	<u>and Disciplinary Fund</u>	<u>1,547</u>
12	<u>Renewable Energy Resources Trust Fund</u>	<u>1,601</u>
13	Radiation Protection Fund	65,921
14	Rental Housing Support Program Fund.....	<u>865</u> 681
15	The Road Fund.....	<u>289,575</u> 203,659
16	Regional Transportation Authority Occupation and	
17	Use Tax Replacement Fund	<u>1,833</u> 1,010
18	<u>Savings and Residential Finance Regulatory Fund</u>	<u>30,756</u>
19	Secretary of State DUI Administration Fund	<u>765</u> 1,350
20	Secretary of State Identification	
21	Security and Theft Prevention Fund	<u>1,757</u> 1,219
22	Secretary of State Special License Plate Fund....	<u>2,304</u> 3,194
23	Secretary of State Special Services Fund	<u>10,045</u> 14,404
24	Securities Audit and Enforcement Fund.....	<u>3,211</u> 4,743
25	Securities Investors Education Fund	882
26	September 11th Fund	1,062

1	Solid Waste Management Fund.....	<u>9,494</u>	1,348
2	State and Local Sales Tax Reform Fund.....	<u>3,638</u>	1,984
3	State Boating Act Fund	<u>38,425</u>	3,155
4	State Construction Account Fund.....	<u>79,336</u>	34,102
5	The State Garage Revolving Fund.....	<u>11,541</u>	30,345
6	The State Lottery Fund	<u>68,197</u>	17,959
7	<u>State Migratory Waterfowl Stamp Fund</u>	<u>4,757</u>	
8	State Parks Fund	<u>29,249</u>	2,483
9	<u>State Pensions Fund.....</u>	<u>1,000,000</u>	
10	<u>State Pheasant Fund.....</u>	<u>723</u>	
11	State Surplus Property Revolving Fund.....	<u>1,078</u>	2,090
12	The Statistical Services Revolving Fund.....	<u>40,944</u>	105,824
13	<u>Subtitle D Management Fund</u>	<u>989</u>	
14	<u>Supplemental Low Income Energy Assistance Fund</u>	<u>48,768</u>	
15	Tobacco Settlement Recovery Fund	<u>2,501</u>	30,157
16	<u>Tourism Promotion Fund</u>	<u>14,362</u>	
17	<u>Underground Resources Conservation Enforcement Fund....</u>	<u>1,722</u>	
18	Trauma Center Fund	6,569	
19	Underground Storage Tank Fund.....	<u>69,453</u>	7,216
20	The Vehicle Inspection Fund.....	<u>14,322</u>	5,050
21	<u>Violent Crime Victims Assistance Fund.....</u>	<u>10,629</u>	
22	<u>Weights and Measures Fund.....</u>	<u>3,408</u>	
23	±		
24	Wildlife and Fish Fund	<u>164,990</u>	16,553
25	The Working Capital Revolving Fund	<u>281,376</u>	31,272

26 Notwithstanding any provision of the law to the contrary,

1 the General Assembly hereby authorizes the use of such funds
2 for the purposes set forth in this Section.

3 These provisions do not apply to funds classified by the
4 Comptroller as federal trust funds or State trust funds. The
5 Audit Expense Fund may receive transfers from those trust funds
6 only as directed herein, except where prohibited by the terms
7 of the trust fund agreement. The Auditor General shall notify
8 the trustees of those funds of the estimated cost of the audit
9 to be incurred under the Illinois State Auditing Act for the
10 fund. The trustees of those funds shall direct the State
11 Comptroller and Treasurer to transfer the estimated amount to
12 the Audit Expense Fund.

13 The Auditor General may bill entities that are not subject
14 to the above transfer provisions, including private entities,
15 related organizations and entities whose funds are
16 locally-held, for the cost of audits, studies, and
17 investigations incurred on their behalf. Any revenues received
18 under this provision shall be deposited into the Audit Expense
19 Fund.

20 In the event that moneys on deposit in any fund are
21 unavailable, by reason of deficiency or any other reason
22 preventing their lawful transfer, the State Comptroller shall
23 order transferred and the State Treasurer shall transfer the
24 amount deficient or otherwise unavailable from the General
25 Revenue Fund for deposit into the Audit Expense Fund.

26 On or before December 1, 1992, and each December 1

1 thereafter, the Auditor General shall notify the Governor's
2 Office of Management and Budget (formerly Bureau of the Budget)
3 of the amount estimated to be necessary to pay for audits,
4 studies, and investigations in accordance with the Illinois
5 State Auditing Act during the next succeeding fiscal year for
6 each State fund for which a transfer or reimbursement is
7 anticipated.

8 Beginning with fiscal year 1994 and during each fiscal year
9 thereafter, the Auditor General may direct the State
10 Comptroller and Treasurer to transfer moneys from funds
11 authorized by the General Assembly for that fund. In the event
12 funds, including federal and State trust funds but excluding
13 the General Revenue Fund, are transferred, during fiscal year
14 1994 and during each fiscal year thereafter, in excess of the
15 amount to pay actual costs attributable to audits, studies, and
16 investigations as permitted or required by the Illinois State
17 Auditing Act or specific action of the General Assembly, the
18 Auditor General shall, on September 30, or as soon thereafter
19 as is practicable, direct the State Comptroller and Treasurer
20 to transfer the excess amount back to the fund from which it
21 was originally transferred.

22 (Source: P.A. 96-476, eff. 8-14-09; 96-976, eff. 7-2-10; 97-66,
23 eff. 6-30-11; revised 7-13-11.)

24 (30 ILCS 105/6z-30)

25 Sec. 6z-30. University of Illinois Hospital Services Fund.

1 (a) The University of Illinois Hospital Services Fund is
2 created as a special fund in the State Treasury. The following
3 moneys shall be deposited into the Fund:

4 (1) As soon as possible after the beginning of fiscal
5 year 2010, and in no event later than July 30, the State
6 Comptroller and the State Treasurer shall automatically
7 transfer \$30,000,000 from the General Revenue Fund to the
8 University of Illinois Hospital Services Fund.

9 (1.5) Starting in fiscal year 2011, as soon as possible
10 after the beginning of each fiscal year, and in no event
11 later than July 30, the State Comptroller and the State
12 Treasurer shall automatically transfer \$45,000,000 from
13 the General Revenue Fund to the University of Illinois
14 Hospital Services Fund; except that, in fiscal year 2012
15 only, the State Comptroller and the State Treasurer shall
16 transfer \$90,000,000 from the General Revenue Fund to the
17 University of Illinois Hospital Services Fund under this
18 paragraph, and, in fiscal year 2013 only, the State
19 Comptroller and the State Treasurer shall transfer no
20 amounts from the General Revenue Fund to the University of
21 Illinois Hospital Services Fund under this paragraph.

22 (2) All intergovernmental transfer payments to the
23 Department of Healthcare and Family Services by the
24 University of Illinois made pursuant to an
25 intergovernmental agreement under subsection (b) or (c) of
26 Section 5A-3 of the Illinois Public Aid Code.

1 (3) All federal matching funds received by the
2 Department of Healthcare and Family Services (formerly
3 Illinois Department of Public Aid) as a result of
4 expenditures made by the Department that are attributable
5 to moneys that were deposited in the Fund.

6 (4) All other moneys received for the Fund from any
7 other source, including interest earned thereon.

8 (b) Moneys in the fund may be used by the Department of
9 Healthcare and Family Services, subject to appropriation and to
10 an interagency agreement between that Department and the Board
11 of Trustees of the University of Illinois, to reimburse the
12 University of Illinois Hospital for hospital and pharmacy
13 services, to reimburse practitioners who are employed by the
14 University of Illinois, to reimburse other health care
15 facilities operated by the University of Illinois, and to pass
16 through to the University of Illinois federal financial
17 participation earned by the State as a result of expenditures
18 made by the University of Illinois.

19 (c) (Blank).

20 (Source: P.A. 95-331, eff. 8-21-07; 95-744, eff. 7-18-08;
21 96-45, eff. 7-15-09; 96-959, eff. 7-1-10.)

22 (30 ILCS 105/6z-45)

23 Sec. 6z-45. The School Infrastructure Fund.

24 (a) The School Infrastructure Fund is created as a special
25 fund in the State Treasury.

1 In addition to any other deposits authorized by law,
2 beginning January 1, 2000, on the first day of each month, or
3 as soon thereafter as may be practical, the State Treasurer and
4 State Comptroller shall transfer the sum of \$5,000,000 from the
5 General Revenue Fund to the School Infrastructure Fund, except
6 that, notwithstanding any other provision of law, and in
7 addition to any other transfers that may be provided for by
8 law, before June 30, 2012, the Comptroller and the Treasurer
9 shall transfer \$45,000,000 from the General Revenue Fund into
10 the School Infrastructure Fund, and, for fiscal year 2013 only,
11 the Treasurer and the Comptroller shall transfer \$1,250,000
12 from the General Revenue Fund to the School Infrastructure Fund
13 on the first day of each month; provided, however, that no such
14 transfers shall be made from July 1, 2001 through June 30,
15 2003.

16 (b) Subject to the transfer provisions set forth below,
17 money in the School Infrastructure Fund shall, if and when the
18 State of Illinois incurs any bonded indebtedness for the
19 construction of school improvements under the School
20 Construction Law, be set aside and used for the purpose of
21 paying and discharging annually the principal and interest on
22 that bonded indebtedness then due and payable, and for no other
23 purpose.

24 In addition to other transfers to the General Obligation
25 Bond Retirement and Interest Fund made pursuant to Section 15
26 of the General Obligation Bond Act, upon each delivery of bonds

1 issued for construction of school improvements under the School
2 Construction Law, the State Comptroller shall compute and
3 certify to the State Treasurer the total amount of principal
4 of, interest on, and premium, if any, on such bonds during the
5 then current and each succeeding fiscal year. With respect to
6 the interest payable on variable rate bonds, such
7 certifications shall be calculated at the maximum rate of
8 interest that may be payable during the fiscal year, after
9 taking into account any credits permitted in the related
10 indenture or other instrument against the amount of such
11 interest required to be appropriated for that period.

12 On or before the last day of each month, the State
13 Treasurer and State Comptroller shall transfer from the School
14 Infrastructure Fund to the General Obligation Bond Retirement
15 and Interest Fund an amount sufficient to pay the aggregate of
16 the principal of, interest on, and premium, if any, on the
17 bonds payable on their next payment date, divided by the number
18 of monthly transfers occurring between the last previous
19 payment date (or the delivery date if no payment date has yet
20 occurred) and the next succeeding payment date. Interest
21 payable on variable rate bonds shall be calculated at the
22 maximum rate of interest that may be payable for the relevant
23 period, after taking into account any credits permitted in the
24 related indenture or other instrument against the amount of
25 such interest required to be appropriated for that period.
26 Interest for which moneys have already been deposited into the

1 capitalized interest account within the General Obligation
2 Bond Retirement and Interest Fund shall not be included in the
3 calculation of the amounts to be transferred under this
4 subsection.

5 (c) The surplus, if any, in the School Infrastructure Fund
6 after the payment of principal and interest on that bonded
7 indebtedness then annually due shall, subject to
8 appropriation, be used as follows:

9 First - to make 3 payments to the School Technology
10 Revolving Loan Fund as follows:

11 Transfer of \$30,000,000 in fiscal year 1999;

12 Transfer of \$20,000,000 in fiscal year 2000; and

13 Transfer of \$10,000,000 in fiscal year 2001.

14 Second - to pay the expenses of the State Board of
15 Education and the Capital Development Board in administering
16 programs under the School Construction Law, the total expenses
17 not to exceed \$1,200,000 in any fiscal year.

18 Third - to pay any amounts due for grants for school
19 construction projects and debt service under the School
20 Construction Law.

21 Fourth - to pay any amounts due for grants for school
22 maintenance projects under the School Construction Law.

23 (Source: P.A. 92-11, eff. 6-11-01; 92-600, eff. 6-28-02; 93-9,
24 eff. 6-3-03.)

1 Sec. 6z-81. Healthcare Provider Relief Fund.

2 (a) There is created in the State treasury a special fund
3 to be known as the Healthcare Provider Relief Fund.

4 (b) The Fund is created for the purpose of receiving and
5 disbursing moneys in accordance with this Section.
6 Disbursements from the Fund shall be made only as follows:

7 (1) Subject to appropriation, for payment by the
8 Department of Healthcare and Family Services or by the
9 Department of Human Services of medical bills and related
10 expenses, including administrative expenses, for which the
11 State is responsible under Titles XIX and XXI of the Social
12 Security Act, the Illinois Public Aid Code, the Children's
13 Health Insurance Program Act, the Covering ALL KIDS Health
14 Insurance Act, and the Senior Citizens and Disabled Persons
15 Property Tax Relief and Pharmaceutical Assistance Act.

16 (2) For repayment of funds borrowed from other State
17 funds or from outside sources, including interest thereon.

18 (c) The Fund shall consist of the following:

19 (1) Moneys received by the State from short-term
20 borrowing pursuant to the Short Term Borrowing Act on or
21 after the effective date of this amendatory Act of the 96th
22 General Assembly.

23 (2) All federal matching funds received by the Illinois
24 Department of Healthcare and Family Services as a result of
25 expenditures made by the Department that are attributable
26 to moneys deposited in the Fund.

1 (3) All federal matching funds received by the Illinois
2 Department of Healthcare and Family Services as a result of
3 federal approval of Title XIX State plan amendment
4 transmittal number 07-09.

5 (4) All other moneys received for the Fund from any
6 other source, including interest earned thereon.

7 (d) In addition to any other transfers that may be provided
8 for by law, on the effective date of this amendatory Act of the
9 97th General Assembly, or as soon thereafter as practical, the
10 State Comptroller shall direct and the State Treasurer shall
11 transfer the sum of \$365,000,000 from the General Revenue Fund
12 into the Healthcare Provider Relief Fund.

13 (e) In addition to any other transfers that may be provided
14 for by law, on July 1, 2011, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$160,000,000 from the
17 General Revenue Fund to the Healthcare Provider Relief Fund.

18 (f) Notwithstanding any other State law to the contrary,
19 and in addition to any other transfers that may be provided for
20 by law, the State Comptroller shall order transferred and the
21 State Treasurer shall transfer \$500,000,000 to the Healthcare
22 Provider Relief Fund from the General Revenue Fund in equal
23 monthly installments of \$100,000,000, with the first transfer
24 to be made on July 1, 2012, or as soon thereafter as practical,
25 and with each of the remaining transfers to be made on August
26 1, 2012, September 1, 2012, October 1, 2012, and November 1,

1 2012, or as soon thereafter as practical. This transfer may
2 assist the Department of Healthcare and Family Services in
3 improving Medical Assistance bill processing timeframes or in
4 meeting the possible requirements of Senate Bill 3397, or other
5 similar legislation, of the 97th General Assembly should it
6 become law.

7 (Source: P.A. 96-820, eff. 11-18-09; 96-1100, eff. 1-1-11;
8 97-44, eff. 6-28-11; 97-641, eff. 12-19-11.)

9 (30 ILCS 105/6z-82)

10 Sec. 6z-82. State Police Operations Assistance Fund.

11 (a) There is created in the State treasury a special fund
12 known as the State Police Operations Assistance Fund. The Fund
13 shall receive revenue pursuant to Section 27.3a of the Clerks
14 of Courts Act. The Fund may also receive revenue from grants,
15 donations, appropriations, and any other legal source.

16 (b) The Department of State Police may use moneys in the
17 Fund to finance any of its lawful purposes or functions.

18 (c) Expenditures may be made from the Fund only as
19 appropriated by the General Assembly by law.

20 (d) Investment income that is attributable to the
21 investment of moneys in the Fund shall be retained in the Fund
22 for the uses specified in this Section.

23 (e) The State Police Operations Assistance Fund shall not
24 be subject to administrative chargebacks.

25 (f) Notwithstanding any other provision of State law to the

1 contrary, on or after July 1, 2012, and until June 30, 2013, in
 2 addition to any other transfers that may be provided for by
 3 law, at the direction of and upon notification from the
 4 Director of State Police, the State Comptroller shall direct
 5 and the State Treasurer shall transfer amounts into the State
 6 Police Operations Assistance Fund from the designated funds not
 7 exceeding the following totals:

8	<u>State Police Vehicle Fund</u>	<u>\$2,250,000</u>
9	<u>State Police Wireless Service</u>	
10	<u>Emergency Fund</u>	<u>\$2,500,000</u>
11	<u>State Police Services Fund</u>	<u>\$3,500,000</u>

12 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11.)

13 (30 ILCS 105/6z-93 new)

14 Sec. 6z-93. FY 13 Backlog Payment Fund. The FY 13 Backlog
 15 Payment Fund is created as a special fund in the State
 16 treasury. Beginning July 1, 2012 and on or before December 31,
 17 2012, the State Comptroller shall direct and the State
 18 Treasurer shall transfer funds from the FY 13 Backlog Payment
 19 Fund to the General Revenue Fund as needed for the payment of
 20 vouchers and transfers to other State funds obligated in State
 21 fiscal year 2012, other than costs incurred for claims under
 22 the Medical Assistance Program.

23 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

24 Sec. 8.3. Money in the Road Fund shall, if and when the

1 State of Illinois incurs any bonded indebtedness for the
2 construction of permanent highways, be set aside and used for
3 the purpose of paying and discharging annually the principal
4 and interest on that bonded indebtedness then due and payable,
5 and for no other purpose. The surplus, if any, in the Road Fund
6 after the payment of principal and interest on that bonded
7 indebtedness then annually due shall be used as follows:

8 first -- to pay the cost of administration of Chapters
9 2 through 10 of the Illinois Vehicle Code, except the cost
10 of administration of Articles I and II of Chapter 3 of that
11 Code; and

12 secondly -- for expenses of the Department of
13 Transportation for construction, reconstruction,
14 improvement, repair, maintenance, operation, and
15 administration of highways in accordance with the
16 provisions of laws relating thereto, or for any purpose
17 related or incident to and connected therewith, including
18 the separation of grades of those highways with railroads
19 and with highways and including the payment of awards made
20 by the Illinois Workers' Compensation Commission under the
21 terms of the Workers' Compensation Act or Workers'
22 Occupational Diseases Act for injury or death of an
23 employee of the Division of Highways in the Department of
24 Transportation; or for the acquisition of land and the
25 erection of buildings for highway purposes, including the
26 acquisition of highway right-of-way or for investigations

1 to determine the reasonably anticipated future highway
2 needs; or for making of surveys, plans, specifications and
3 estimates for and in the construction and maintenance of
4 flight strips and of highways necessary to provide access
5 to military and naval reservations, to defense industries
6 and defense-industry sites, and to the sources of raw
7 materials and for replacing existing highways and highway
8 connections shut off from general public use at military
9 and naval reservations and defense-industry sites, or for
10 the purchase of right-of-way, except that the State shall
11 be reimbursed in full for any expense incurred in building
12 the flight strips; or for the operating and maintaining of
13 highway garages; or for patrolling and policing the public
14 highways and conserving the peace; or for the operating
15 expenses of the Department relating to the administration
16 of public transportation programs; or, during fiscal year
17 2012 only, for the purposes of a grant not to exceed
18 \$8,500,000 to the Regional Transportation Authority on
19 behalf of PACE for the purpose of ADA/Para-transit
20 expenses; or, during fiscal year 2013 only, for the
21 purposes of a grant not to exceed \$3,825,000 to the
22 Regional Transportation Authority on behalf of PACE for the
23 purpose of ADA/Para-transit expenses; or for any of those
24 purposes or any other purpose that may be provided by law.

25 Appropriations for any of those purposes are payable from
26 the Road Fund. Appropriations may also be made from the Road

1 Fund for the administrative expenses of any State agency that
2 are related to motor vehicles or arise from the use of motor
3 vehicles.

4 Beginning with fiscal year 1980 and thereafter, no Road
5 Fund monies shall be appropriated to the following Departments
6 or agencies of State government for administration, grants, or
7 operations; but this limitation is not a restriction upon
8 appropriating for those purposes any Road Fund monies that are
9 eligible for federal reimbursement;

10 1. Department of Public Health;

11 2. Department of Transportation, only with respect to
12 subsidies for one-half fare Student Transportation and
13 Reduced Fare for Elderly, except during fiscal year 2012
14 only when no more than \$40,000,000 may be expended and
15 except during fiscal year 2013 only when no more than
16 \$17,570,300 may be expended;

17 3. Department of Central Management Services, except
18 for expenditures incurred for group insurance premiums of
19 appropriate personnel;

20 4. Judicial Systems and Agencies.

21 Beginning with fiscal year 1981 and thereafter, no Road
22 Fund monies shall be appropriated to the following Departments
23 or agencies of State government for administration, grants, or
24 operations; but this limitation is not a restriction upon
25 appropriating for those purposes any Road Fund monies that are
26 eligible for federal reimbursement:

1 1. Department of State Police, except for expenditures
2 with respect to the Division of Operations;

3 2. Department of Transportation, only with respect to
4 Intercity Rail Subsidies, except during fiscal year 2012
5 only when no more than \$40,000,000 may be expended and
6 except during fiscal year 2013 only when no more than
7 \$26,000,000 may be expended, and Rail Freight Services.

8 Beginning with fiscal year 1982 and thereafter, no Road
9 Fund monies shall be appropriated to the following Departments
10 or agencies of State government for administration, grants, or
11 operations; but this limitation is not a restriction upon
12 appropriating for those purposes any Road Fund monies that are
13 eligible for federal reimbursement: Department of Central
14 Management Services, except for awards made by the Illinois
15 Workers' Compensation Commission under the terms of the
16 Workers' Compensation Act or Workers' Occupational Diseases
17 Act for injury or death of an employee of the Division of
18 Highways in the Department of Transportation.

19 Beginning with fiscal year 1984 and thereafter, no Road
20 Fund monies shall be appropriated to the following Departments
21 or agencies of State government for administration, grants, or
22 operations; but this limitation is not a restriction upon
23 appropriating for those purposes any Road Fund monies that are
24 eligible for federal reimbursement:

25 1. Department of State Police, except not more than 40%
26 of the funds appropriated for the Division of Operations;

1 2. State Officers.

2 Beginning with fiscal year 1984 and thereafter, no Road
3 Fund monies shall be appropriated to any Department or agency
4 of State government for administration, grants, or operations
5 except as provided hereafter; but this limitation is not a
6 restriction upon appropriating for those purposes any Road Fund
7 monies that are eligible for federal reimbursement. It shall
8 not be lawful to circumvent the above appropriation limitations
9 by governmental reorganization or other methods.
10 Appropriations shall be made from the Road Fund only in
11 accordance with the provisions of this Section.

12 Money in the Road Fund shall, if and when the State of
13 Illinois incurs any bonded indebtedness for the construction of
14 permanent highways, be set aside and used for the purpose of
15 paying and discharging during each fiscal year the principal
16 and interest on that bonded indebtedness as it becomes due and
17 payable as provided in the Transportation Bond Act, and for no
18 other purpose. The surplus, if any, in the Road Fund after the
19 payment of principal and interest on that bonded indebtedness
20 then annually due shall be used as follows:

21 first -- to pay the cost of administration of Chapters
22 2 through 10 of the Illinois Vehicle Code; and

23 secondly -- no Road Fund monies derived from fees,
24 excises, or license taxes relating to registration,
25 operation and use of vehicles on public highways or to
26 fuels used for the propulsion of those vehicles, shall be

1 appropriated or expended other than for costs of
2 administering the laws imposing those fees, excises, and
3 license taxes, statutory refunds and adjustments allowed
4 thereunder, administrative costs of the Department of
5 Transportation, including, but not limited to, the
6 operating expenses of the Department relating to the
7 administration of public transportation programs, payment
8 of debts and liabilities incurred in construction and
9 reconstruction of public highways and bridges, acquisition
10 of rights-of-way for and the cost of construction,
11 reconstruction, maintenance, repair, and operation of
12 public highways and bridges under the direction and
13 supervision of the State, political subdivision, or
14 municipality collecting those monies, or during fiscal
15 year 2012 only for the purposes of a grant not to exceed
16 \$8,500,000 to the Regional Transportation Authority on
17 behalf of PACE for the purpose of ADA/Para-transit
18 expenses, and the costs for patrolling and policing the
19 public highways (by State, political subdivision, or
20 municipality collecting that money) for enforcement of
21 traffic laws. The separation of grades of such highways
22 with railroads and costs associated with protection of
23 at-grade highway and railroad crossing shall also be
24 permissible.

25 Appropriations for any of such purposes are payable from
26 the Road Fund or the Grade Crossing Protection Fund as provided

1 in Section 8 of the Motor Fuel Tax Law.

2 Except as provided in this paragraph, beginning with fiscal
3 year 1991 and thereafter, no Road Fund monies shall be
4 appropriated to the Department of State Police for the purposes
5 of this Section in excess of its total fiscal year 1990 Road
6 Fund appropriations for those purposes unless otherwise
7 provided in Section 5g of this Act. For fiscal years 2003,
8 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
9 appropriated to the Department of State Police for the purposes
10 of this Section in excess of \$97,310,000. For fiscal year 2008
11 only, no Road Fund monies shall be appropriated to the
12 Department of State Police for the purposes of this Section in
13 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
14 monies shall be appropriated to the Department of State Police
15 for the purposes of this Section in excess of \$114,700,000.
16 Beginning in fiscal year 2010, no road fund moneys shall be
17 appropriated to the Department of State Police. It shall not be
18 lawful to circumvent this limitation on appropriations by
19 governmental reorganization or other methods unless otherwise
20 provided in Section 5g of this Act.

21 In fiscal year 1994, no Road Fund monies shall be
22 appropriated to the Secretary of State for the purposes of this
23 Section in excess of the total fiscal year 1991 Road Fund
24 appropriations to the Secretary of State for those purposes,
25 plus \$9,800,000. It shall not be lawful to circumvent this
26 limitation on appropriations by governmental reorganization or

1 other method.

2 Beginning with fiscal year 1995 and thereafter, no Road
3 Fund monies shall be appropriated to the Secretary of State for
4 the purposes of this Section in excess of the total fiscal year
5 1994 Road Fund appropriations to the Secretary of State for
6 those purposes. It shall not be lawful to circumvent this
7 limitation on appropriations by governmental reorganization or
8 other methods.

9 Beginning with fiscal year 2000, total Road Fund
10 appropriations to the Secretary of State for the purposes of
11 this Section shall not exceed the amounts specified for the
12 following fiscal years:

13	Fiscal Year 2000	\$80,500,000;
14	Fiscal Year 2001	\$80,500,000;
15	Fiscal Year 2002	\$80,500,000;
16	Fiscal Year 2003	\$130,500,000;
17	Fiscal Year 2004	\$130,500,000;
18	Fiscal Year 2005	\$130,500,000;
19	Fiscal Year 2006	\$130,500,000;
20	Fiscal Year 2007	\$130,500,000;
21	Fiscal Year 2008	\$130,500,000;
22	Fiscal Year 2009	\$130,500,000.

23 For fiscal year 2010, no road fund moneys shall be
24 appropriated to the Secretary of State.

25 Beginning in fiscal year 2011, moneys in the Road Fund
26 shall be appropriated to the Secretary of State for the

1 exclusive purpose of paying refunds due to overpayment of fees
2 related to Chapter 3 of the Illinois Vehicle Code unless
3 otherwise provided for by law.

4 It shall not be lawful to circumvent this limitation on
5 appropriations by governmental reorganization or other
6 methods.

7 No new program may be initiated in fiscal year 1991 and
8 thereafter that is not consistent with the limitations imposed
9 by this Section for fiscal year 1984 and thereafter, insofar as
10 appropriation of Road Fund monies is concerned.

11 Nothing in this Section prohibits transfers from the Road
12 Fund to the State Construction Account Fund under Section 5e of
13 this Act; nor to the General Revenue Fund, as authorized by
14 this amendatory Act of the 93rd General Assembly.

15 The additional amounts authorized for expenditure in this
16 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
17 shall be repaid to the Road Fund from the General Revenue Fund
18 in the next succeeding fiscal year that the General Revenue
19 Fund has a positive budgetary balance, as determined by
20 generally accepted accounting principles applicable to
21 government.

22 The additional amounts authorized for expenditure by the
23 Secretary of State and the Department of State Police in this
24 Section by this amendatory Act of the 94th General Assembly
25 shall be repaid to the Road Fund from the General Revenue Fund
26 in the next succeeding fiscal year that the General Revenue

1 Fund has a positive budgetary balance, as determined by
2 generally accepted accounting principles applicable to
3 government.

4 (Source: P.A. 96-34, eff. 7-13-09; 96-959, eff. 7-1-10; 97-72,
5 eff. 7-1-11.)

6 (30 ILCS 105/8g-1 new)

7 Sec. 8g-1. FY13 fund transfers. In addition to any other
8 transfers that may be provided for by law, on and after July 1,
9 2012 and until May 1, 2013, at the direction of and upon
10 notification from the Governor, the State Comptroller shall
11 direct and the State Treasurer shall transfer amounts not
12 exceeding a total of \$80,000,000 from the General Revenue Fund
13 to the Tobacco Settlement Recovery Fund. Any amounts so
14 transferred shall be retransferred by the State Comptroller and
15 the State Treasurer from the Tobacco Settlement Recovery Fund
16 to the General Revenue Fund at the direction of and upon
17 notification from the Governor, but in any event on or before
18 June 30, 2013.

19 (30 ILCS 105/25) (from Ch. 127, par. 161)

20 Sec. 25. Fiscal year limitations.

21 (a) All appropriations shall be available for expenditure
22 for the fiscal year or for a lesser period if the Act making
23 that appropriation so specifies. A deficiency or emergency
24 appropriation shall be available for expenditure only through

1 June 30 of the year when the Act making that appropriation is
2 enacted unless that Act otherwise provides.

3 (b) Outstanding liabilities as of June 30, payable from
4 appropriations which have otherwise expired, may be paid out of
5 the expiring appropriations during the 2-month period ending at
6 the close of business on August 31. Any service involving
7 professional or artistic skills or any personal services by an
8 employee whose compensation is subject to income tax
9 withholding must be performed as of June 30 of the fiscal year
10 in order to be considered an "outstanding liability as of June
11 30" that is thereby eligible for payment out of the expiring
12 appropriation.

13 (b-1) However, payment of tuition reimbursement claims
14 under Section 14-7.03 or 18-3 of the School Code may be made by
15 the State Board of Education from its appropriations for those
16 respective purposes for any fiscal year, even though the claims
17 reimbursed by the payment may be claims attributable to a prior
18 fiscal year, and payments may be made at the direction of the
19 State Superintendent of Education from the fund from which the
20 appropriation is made without regard to any fiscal year
21 limitations, except as required by subsection (j) of this
22 Section. Beginning on June 30, 2021, payment of tuition
23 reimbursement claims under Section 14-7.03 or 18-3 of the
24 School Code as of June 30, payable from appropriations that
25 have otherwise expired, may be paid out of the expiring
26 appropriation during the 4-month period ending at the close of

1 business on October 31.

2 (b-2) All outstanding liabilities as of June 30, 2010,
3 payable from appropriations that would otherwise expire at the
4 conclusion of the lapse period for fiscal year 2010, and
5 interest penalties payable on those liabilities under the State
6 Prompt Payment Act, may be paid out of the expiring
7 appropriations until December 31, 2010, without regard to the
8 fiscal year in which the payment is made, as long as vouchers
9 for the liabilities are received by the Comptroller no later
10 than August 31, 2010.

11 (b-2.5) All outstanding liabilities as of June 30, 2011,
12 payable from appropriations that would otherwise expire at the
13 conclusion of the lapse period for fiscal year 2011, and
14 interest penalties payable on those liabilities under the State
15 Prompt Payment Act, may be paid out of the expiring
16 appropriations until December 31, 2011, without regard to the
17 fiscal year in which the payment is made, as long as vouchers
18 for the liabilities are received by the Comptroller no later
19 than August 31, 2011.

20 (b-2.6) All outstanding liabilities as of June 30, 2012,
21 payable from appropriations that would otherwise expire at the
22 conclusion of the lapse period for fiscal year 2012, and
23 interest penalties payable on those liabilities under the State
24 Prompt Payment Act, may be paid out of the expiring
25 appropriations until December 31, 2012, without regard to the
26 fiscal year in which the payment is made, as long as vouchers

1 for the liabilities are received by the Comptroller no later
2 than August 31, 2012.

3 (b-3) Medical payments may be made by the Department of
4 Veterans' Affairs from its appropriations for those purposes
5 for any fiscal year, without regard to the fact that the
6 medical services being compensated for by such payment may have
7 been rendered in a prior fiscal year, except as required by
8 subsection (j) of this Section. Beginning on June 30, 2021,
9 medical payments payable from appropriations that have
10 otherwise expired may be paid out of the expiring appropriation
11 during the 4-month period ending at the close of business on
12 October 31.

13 (b-4) Medical payments may be made by the Department of
14 Healthcare and Family Services and medical payments and child
15 care payments may be made by the Department of Human Services
16 (as successor to the Department of Public Aid) from
17 appropriations for those purposes for any fiscal year, without
18 regard to the fact that the medical or child care services
19 being compensated for by such payment may have been rendered in
20 a prior fiscal year; and payments may be made at the direction
21 of the Department of Healthcare and Family Services from the
22 Health Insurance Reserve Fund and the Local Government Health
23 Insurance Reserve Fund without regard to any fiscal year
24 limitations, except as required by subsection (j) of this
25 Section. Beginning on June 30, 2021, medical payments made by
26 the Department of Healthcare and Family Services, child care

1 payments made by the Department of Human Services, and payments
2 made at the discretion of the Department of Healthcare and
3 Family Services from the Health Insurance Reserve Fund and the
4 Local Government Health Insurance Reserve Fund payable from
5 appropriations that have otherwise expired may be paid out of
6 the expiring appropriation during the 4-month period ending at
7 the close of business on October 31.

8 (b-5) Medical payments may be made by the Department of
9 Human Services from its appropriations relating to substance
10 abuse treatment services for any fiscal year, without regard to
11 the fact that the medical services being compensated for by
12 such payment may have been rendered in a prior fiscal year,
13 provided the payments are made on a fee-for-service basis
14 consistent with requirements established for Medicaid
15 reimbursement by the Department of Healthcare and Family
16 Services, except as required by subsection (j) of this Section.
17 Beginning on June 30, 2021, medical payments made by the
18 Department of Human Services relating to substance abuse
19 treatment services payable from appropriations that have
20 otherwise expired may be paid out of the expiring appropriation
21 during the 4-month period ending at the close of business on
22 October 31.

23 (b-6) Additionally, payments may be made by the Department
24 of Human Services from its appropriations, or any other State
25 agency from its appropriations with the approval of the
26 Department of Human Services, from the Immigration Reform and

1 Control Fund for purposes authorized pursuant to the
2 Immigration Reform and Control Act of 1986, without regard to
3 any fiscal year limitations, except as required by subsection
4 (j) of this Section. Beginning on June 30, 2021, payments made
5 by the Department of Human Services from the Immigration Reform
6 and Control Fund for purposes authorized pursuant to the
7 Immigration Reform and Control Act of 1986 payable from
8 appropriations that have otherwise expired may be paid out of
9 the expiring appropriation during the 4-month period ending at
10 the close of business on October 31.

11 (b-7) Payments may be made in accordance with a plan
12 authorized by paragraph (11) or (12) of Section 405-105 of the
13 Department of Central Management Services Law from
14 appropriations for those payments without regard to fiscal year
15 limitations.

16 (c) Further, payments may be made by the Department of
17 Public Health, the Department of Human Services (acting as
18 successor to the Department of Public Health under the
19 Department of Human Services Act), and the Department of
20 Healthcare and Family Services from their respective
21 appropriations for grants for medical care to or on behalf of
22 persons suffering from chronic renal disease, persons
23 suffering from hemophilia, rape victims, and premature and
24 high-mortality risk infants and their mothers and for grants
25 for supplemental food supplies provided under the United States
26 Department of Agriculture Women, Infants and Children

1 Nutrition Program, for any fiscal year without regard to the
2 fact that the services being compensated for by such payment
3 may have been rendered in a prior fiscal year, except as
4 required by subsection (j) of this Section. Beginning on June
5 30, 2021, payments made by the Department of Public Health, the
6 Department of Human Services, and the Department of Healthcare
7 and Family Services from their respective appropriations for
8 grants for medical care to or on behalf of persons suffering
9 from chronic renal disease, persons suffering from hemophilia,
10 rape victims, and premature and high-mortality risk infants and
11 their mothers and for grants for supplemental food supplies
12 provided under the United States Department of Agriculture
13 Women, Infants and Children Nutrition Program payable from
14 appropriations that have otherwise expired may be paid out of
15 the expiring appropriations during the 4-month period ending at
16 the close of business on October 31.

17 (d) The Department of Public Health and the Department of
18 Human Services (acting as successor to the Department of Public
19 Health under the Department of Human Services Act) shall each
20 annually submit to the State Comptroller, Senate President,
21 Senate Minority Leader, Speaker of the House, House Minority
22 Leader, and the respective Chairmen and Minority Spokesmen of
23 the Appropriations Committees of the Senate and the House, on
24 or before December 31, a report of fiscal year funds used to
25 pay for services provided in any prior fiscal year. This report
26 shall document by program or service category those

1 expenditures from the most recently completed fiscal year used
2 to pay for services provided in prior fiscal years.

3 (e) The Department of Healthcare and Family Services, the
4 Department of Human Services (acting as successor to the
5 Department of Public Aid), and the Department of Human Services
6 making fee-for-service payments relating to substance abuse
7 treatment services provided during a previous fiscal year shall
8 each annually submit to the State Comptroller, Senate
9 President, Senate Minority Leader, Speaker of the House, House
10 Minority Leader, the respective Chairmen and Minority
11 Spokesmen of the Appropriations Committees of the Senate and
12 the House, on or before November 30, a report that shall
13 document by program or service category those expenditures from
14 the most recently completed fiscal year used to pay for (i)
15 services provided in prior fiscal years and (ii) services for
16 which claims were received in prior fiscal years.

17 (f) The Department of Human Services (as successor to the
18 Department of Public Aid) shall annually submit to the State
19 Comptroller, Senate President, Senate Minority Leader, Speaker
20 of the House, House Minority Leader, and the respective
21 Chairmen and Minority Spokesmen of the Appropriations
22 Committees of the Senate and the House, on or before December
23 31, a report of fiscal year funds used to pay for services
24 (other than medical care) provided in any prior fiscal year.
25 This report shall document by program or service category those
26 expenditures from the most recently completed fiscal year used

1 to pay for services provided in prior fiscal years.

2 (g) In addition, each annual report required to be
3 submitted by the Department of Healthcare and Family Services
4 under subsection (e) shall include the following information
5 with respect to the State's Medicaid program:

6 (1) Explanations of the exact causes of the variance
7 between the previous year's estimated and actual
8 liabilities.

9 (2) Factors affecting the Department of Healthcare and
10 Family Services' liabilities, including but not limited to
11 numbers of aid recipients, levels of medical service
12 utilization by aid recipients, and inflation in the cost of
13 medical services.

14 (3) The results of the Department's efforts to combat
15 fraud and abuse.

16 (h) As provided in Section 4 of the General Assembly
17 Compensation Act, any utility bill for service provided to a
18 General Assembly member's district office for a period
19 including portions of 2 consecutive fiscal years may be paid
20 from funds appropriated for such expenditure in either fiscal
21 year.

22 (i) An agency which administers a fund classified by the
23 Comptroller as an internal service fund may issue rules for:

24 (1) billing user agencies in advance for payments or
25 authorized inter-fund transfers based on estimated charges
26 for goods or services;

1 (2) issuing credits, refunding through inter-fund
2 transfers, or reducing future inter-fund transfers during
3 the subsequent fiscal year for all user agency payments or
4 authorized inter-fund transfers received during the prior
5 fiscal year which were in excess of the final amounts owed
6 by the user agency for that period; and

7 (3) issuing catch-up billings to user agencies during
8 the subsequent fiscal year for amounts remaining due when
9 payments or authorized inter-fund transfers received from
10 the user agency during the prior fiscal year were less than
11 the total amount owed for that period.

12 User agencies are authorized to reimburse internal service
13 funds for catch-up billings by vouchers drawn against their
14 respective appropriations for the fiscal year in which the
15 catch-up billing was issued or by increasing an authorized
16 inter-fund transfer during the current fiscal year. For the
17 purposes of this Act, "inter-fund transfers" means transfers
18 without the use of the voucher-warrant process, as authorized
19 by Section 9.01 of the State Comptroller Act.

20 (i-1) Beginning on July 1, 2021, all outstanding
21 liabilities, not payable during the 4-month lapse period as
22 described in subsections (b-1), (b-3), (b-4), (b-5), (b-6), and
23 (c) of this Section, that are made from appropriations for that
24 purpose for any fiscal year, without regard to the fact that
25 the services being compensated for by those payments may have
26 been rendered in a prior fiscal year, are limited to only those

1 claims that have been incurred but for which a proper bill or
2 invoice as defined by the State Prompt Payment Act has not been
3 received by September 30th following the end of the fiscal year
4 in which the service was rendered.

5 (j) Notwithstanding any other provision of this Act, the
6 aggregate amount of payments to be made without regard for
7 fiscal year limitations as contained in subsections (b-1),
8 (b-3), (b-4), (b-5), (b-6), and (c) of this Section, and
9 determined by using Generally Accepted Accounting Principles,
10 shall not exceed the following amounts:

11 (1) \$6,000,000,000 for outstanding liabilities related
12 to fiscal year 2012;

13 (2) \$5,300,000,000 for outstanding liabilities related
14 to fiscal year 2013;

15 (3) \$4,600,000,000 for outstanding liabilities related
16 to fiscal year 2014;

17 (4) \$4,000,000,000 for outstanding liabilities related
18 to fiscal year 2015;

19 (5) \$3,300,000,000 for outstanding liabilities related
20 to fiscal year 2016;

21 (6) \$2,600,000,000 for outstanding liabilities related
22 to fiscal year 2017;

23 (7) \$2,000,000,000 for outstanding liabilities related
24 to fiscal year 2018;

25 (8) \$1,300,000,000 for outstanding liabilities related
26 to fiscal year 2019;

1 (9) \$600,000,000 for outstanding liabilities related
2 to fiscal year 2020; and

3 (10) \$0 for outstanding liabilities related to fiscal
4 year 2021 and fiscal years thereafter.

5 (Source: P.A. 96-928, eff. 6-15-10; 96-958, eff. 7-1-10;
6 96-1501, eff. 1-25-11; 97-75, eff. 6-30-11; 97-333, eff.
7 8-12-11.)

8 Section 5-30. The Illinois Income Tax Act is amended by
9 changing Section 901 as follows:

10 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

11 Sec. 901. Collection Authority.

12 (a) In general.

13 The Department shall collect the taxes imposed by this Act.
14 The Department shall collect certified past due child support
15 amounts under Section 2505-650 of the Department of Revenue Law
16 (20 ILCS 2505/2505-650). Except as provided in subsections (c),
17 (e), (f), and (g) of this Section, money collected pursuant to
18 subsections (a) and (b) of Section 201 of this Act shall be
19 paid into the General Revenue Fund in the State treasury; money
20 collected pursuant to subsections (c) and (d) of Section 201 of
21 this Act shall be paid into the Personal Property Tax
22 Replacement Fund, a special fund in the State Treasury; and
23 money collected under Section 2505-650 of the Department of
24 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the

1 Child Support Enforcement Trust Fund, a special fund outside
2 the State Treasury, or to the State Disbursement Unit
3 established under Section 10-26 of the Illinois Public Aid
4 Code, as directed by the Department of Healthcare and Family
5 Services.

6 (b) Local Government Distributive Fund.

7 Beginning August 1, 1969, and continuing through June 30,
8 1994, the Treasurer shall transfer each month from the General
9 Revenue Fund to a special fund in the State treasury, to be
10 known as the "Local Government Distributive Fund", an amount
11 equal to 1/12 of the net revenue realized from the tax imposed
12 by subsections (a) and (b) of Section 201 of this Act during
13 the preceding month. Beginning July 1, 1994, and continuing
14 through June 30, 1995, the Treasurer shall transfer each month
15 from the General Revenue Fund to the Local Government
16 Distributive Fund an amount equal to 1/11 of the net revenue
17 realized from the tax imposed by subsections (a) and (b) of
18 Section 201 of this Act during the preceding month. Beginning
19 July 1, 1995 and continuing through January 31, 2011, the
20 Treasurer shall transfer each month from the General Revenue
21 Fund to the Local Government Distributive Fund an amount equal
22 to the net of (i) 1/10 of the net revenue realized from the tax
23 imposed by subsections (a) and (b) of Section 201 of the
24 Illinois Income Tax Act during the preceding month (ii) minus,
25 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,
26 and beginning July 1, 2004, zero. Beginning February 1, 2011,

1 and continuing through January 31, 2015, the Treasurer shall
2 transfer each month from the General Revenue Fund to the Local
3 Government Distributive Fund an amount equal to the sum of (i)
4 6% (10% of the ratio of the 3% individual income tax rate prior
5 to 2011 to the 5% individual income tax rate after 2010) of the
6 net revenue realized from the tax imposed by subsections (a)
7 and (b) of Section 201 of this Act upon individuals, trusts,
8 and estates during the preceding month and (ii) 6.86% (10% of
9 the ratio of the 4.8% corporate income tax rate prior to 2011
10 to the 7% corporate income tax rate after 2010) of the net
11 revenue realized from the tax imposed by subsections (a) and
12 (b) of Section 201 of this Act upon corporations during the
13 preceding month. Beginning February 1, 2015 and continuing
14 through January 31, 2025, the Treasurer shall transfer each
15 month from the General Revenue Fund to the Local Government
16 Distributive Fund an amount equal to the sum of (i) 8% (10% of
17 the ratio of the 3% individual income tax rate prior to 2011 to
18 the 3.75% individual income tax rate after 2014) of the net
19 revenue realized from the tax imposed by subsections (a) and
20 (b) of Section 201 of this Act upon individuals, trusts, and
21 estates during the preceding month and (ii) 9.14% (10% of the
22 ratio of the 4.8% corporate income tax rate prior to 2011 to
23 the 5.25% corporate income tax rate after 2014) of the net
24 revenue realized from the tax imposed by subsections (a) and
25 (b) of Section 201 of this Act upon corporations during the
26 preceding month. Beginning February 1, 2025, the Treasurer

1 shall transfer each month from the General Revenue Fund to the
2 Local Government Distributive Fund an amount equal to the sum
3 of (i) 9.23% (10% of the ratio of the 3% individual income tax
4 rate prior to 2011 to the 3.25% individual income tax rate
5 after 2024) of the net revenue realized from the tax imposed by
6 subsections (a) and (b) of Section 201 of this Act upon
7 individuals, trusts, and estates during the preceding month and
8 (ii) 10% of the net revenue realized from the tax imposed by
9 subsections (a) and (b) of Section 201 of this Act upon
10 corporations during the preceding month. Net revenue realized
11 for a month shall be defined as the revenue from the tax
12 imposed by subsections (a) and (b) of Section 201 of this Act
13 which is deposited in the General Revenue Fund, the Education
14 Assistance Fund, the Income Tax Surcharge Local Government
15 Distributive Fund, the Fund for the Advancement of Education,
16 and the Commitment to Human Services Fund during the month
17 minus the amount paid out of the General Revenue Fund in State
18 warrants during that same month as refunds to taxpayers for
19 overpayment of liability under the tax imposed by subsections
20 (a) and (b) of Section 201 of this Act.

21 (c) Deposits Into Income Tax Refund Fund.

22 (1) Beginning on January 1, 1989 and thereafter, the
23 Department shall deposit a percentage of the amounts
24 collected pursuant to subsections (a) and (b)(1), (2), and
25 (3), of Section 201 of this Act into a fund in the State
26 treasury known as the Income Tax Refund Fund. The

1 Department shall deposit 6% of such amounts during the
2 period beginning January 1, 1989 and ending on June 30,
3 1989. Beginning with State fiscal year 1990 and for each
4 fiscal year thereafter, the percentage deposited into the
5 Income Tax Refund Fund during a fiscal year shall be the
6 Annual Percentage. For fiscal years 1999 through 2001, the
7 Annual Percentage shall be 7.1%. For fiscal year 2003, the
8 Annual Percentage shall be 8%. For fiscal year 2004, the
9 Annual Percentage shall be 11.7%. Upon the effective date
10 of this amendatory Act of the 93rd General Assembly, the
11 Annual Percentage shall be 10% for fiscal year 2005. For
12 fiscal year 2006, the Annual Percentage shall be 9.75%. For
13 fiscal year 2007, the Annual Percentage shall be 9.75%. For
14 fiscal year 2008, the Annual Percentage shall be 7.75%. For
15 fiscal year 2009, the Annual Percentage shall be 9.75%. For
16 fiscal year 2010, the Annual Percentage shall be 9.75%. For
17 fiscal year 2011, the Annual Percentage shall be 8.75%. For
18 fiscal year 2012, the Annual Percentage shall be 8.75%. For
19 fiscal year 2013, the Annual Percentage shall be 9.75%. For
20 all other fiscal years, the Annual Percentage shall be
21 calculated as a fraction, the numerator of which shall be
22 the amount of refunds approved for payment by the
23 Department during the preceding fiscal year as a result of
24 overpayment of tax liability under subsections (a) and
25 (b) (1), (2), and (3) of Section 201 of this Act plus the
26 amount of such refunds remaining approved but unpaid at the

1 end of the preceding fiscal year, minus the amounts
2 transferred into the Income Tax Refund Fund from the
3 Tobacco Settlement Recovery Fund, and the denominator of
4 which shall be the amounts which will be collected pursuant
5 to subsections (a) and (b)(1), (2), and (3) of Section 201
6 of this Act during the preceding fiscal year; except that
7 in State fiscal year 2002, the Annual Percentage shall in
8 no event exceed 7.6%. The Director of Revenue shall certify
9 the Annual Percentage to the Comptroller on the last
10 business day of the fiscal year immediately preceding the
11 fiscal year for which it is to be effective.

12 (2) Beginning on January 1, 1989 and thereafter, the
13 Department shall deposit a percentage of the amounts
14 collected pursuant to subsections (a) and (b)(6), (7), and
15 (8), (c) and (d) of Section 201 of this Act into a fund in
16 the State treasury known as the Income Tax Refund Fund. The
17 Department shall deposit 18% of such amounts during the
18 period beginning January 1, 1989 and ending on June 30,
19 1989. Beginning with State fiscal year 1990 and for each
20 fiscal year thereafter, the percentage deposited into the
21 Income Tax Refund Fund during a fiscal year shall be the
22 Annual Percentage. For fiscal years 1999, 2000, and 2001,
23 the Annual Percentage shall be 19%. For fiscal year 2003,
24 the Annual Percentage shall be 27%. For fiscal year 2004,
25 the Annual Percentage shall be 32%. Upon the effective date
26 of this amendatory Act of the 93rd General Assembly, the

1 Annual Percentage shall be 24% for fiscal year 2005. For
2 fiscal year 2006, the Annual Percentage shall be 20%. For
3 fiscal year 2007, the Annual Percentage shall be 17.5%. For
4 fiscal year 2008, the Annual Percentage shall be 15.5%. For
5 fiscal year 2009, the Annual Percentage shall be 17.5%. For
6 fiscal year 2010, the Annual Percentage shall be 17.5%. For
7 fiscal year 2011, the Annual Percentage shall be 17.5%. For
8 fiscal year 2012, the Annual Percentage shall be 17.5%. For
9 fiscal year 2013, the Annual Percentage shall be 14%. For
10 all other fiscal years, the Annual Percentage shall be
11 calculated as a fraction, the numerator of which shall be
12 the amount of refunds approved for payment by the
13 Department during the preceding fiscal year as a result of
14 overpayment of tax liability under subsections (a) and
15 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
16 Act plus the amount of such refunds remaining approved but
17 unpaid at the end of the preceding fiscal year, and the
18 denominator of which shall be the amounts which will be
19 collected pursuant to subsections (a) and (b) (6), (7), and
20 (8), (c) and (d) of Section 201 of this Act during the
21 preceding fiscal year; except that in State fiscal year
22 2002, the Annual Percentage shall in no event exceed 23%.
23 The Director of Revenue shall certify the Annual Percentage
24 to the Comptroller on the last business day of the fiscal
25 year immediately preceding the fiscal year for which it is
26 to be effective.

1 (3) The Comptroller shall order transferred and the
2 Treasurer shall transfer from the Tobacco Settlement
3 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
4 in January, 2001, (ii) \$35,000,000 in January, 2002, and
5 (iii) \$35,000,000 in January, 2003.

6 (d) Expenditures from Income Tax Refund Fund.

7 (1) Beginning January 1, 1989, money in the Income Tax
8 Refund Fund shall be expended exclusively for the purpose
9 of paying refunds resulting from overpayment of tax
10 liability under Section 201 of this Act, for paying rebates
11 under Section 208.1 in the event that the amounts in the
12 Homeowners' Tax Relief Fund are insufficient for that
13 purpose, and for making transfers pursuant to this
14 subsection (d).

15 (2) The Director shall order payment of refunds
16 resulting from overpayment of tax liability under Section
17 201 of this Act from the Income Tax Refund Fund only to the
18 extent that amounts collected pursuant to Section 201 of
19 this Act and transfers pursuant to this subsection (d) and
20 item (3) of subsection (c) have been deposited and retained
21 in the Fund.

22 (3) As soon as possible after the end of each fiscal
23 year, the Director shall order transferred and the State
24 Treasurer and State Comptroller shall transfer from the
25 Income Tax Refund Fund to the Personal Property Tax
26 Replacement Fund an amount, certified by the Director to

1 the Comptroller, equal to the excess of the amount
2 collected pursuant to subsections (c) and (d) of Section
3 201 of this Act deposited into the Income Tax Refund Fund
4 during the fiscal year over the amount of refunds resulting
5 from overpayment of tax liability under subsections (c) and
6 (d) of Section 201 of this Act paid from the Income Tax
7 Refund Fund during the fiscal year.

8 (4) As soon as possible after the end of each fiscal
9 year, the Director shall order transferred and the State
10 Treasurer and State Comptroller shall transfer from the
11 Personal Property Tax Replacement Fund to the Income Tax
12 Refund Fund an amount, certified by the Director to the
13 Comptroller, equal to the excess of the amount of refunds
14 resulting from overpayment of tax liability under
15 subsections (c) and (d) of Section 201 of this Act paid
16 from the Income Tax Refund Fund during the fiscal year over
17 the amount collected pursuant to subsections (c) and (d) of
18 Section 201 of this Act deposited into the Income Tax
19 Refund Fund during the fiscal year.

20 (4.5) As soon as possible after the end of fiscal year
21 1999 and of each fiscal year thereafter, the Director shall
22 order transferred and the State Treasurer and State
23 Comptroller shall transfer from the Income Tax Refund Fund
24 to the General Revenue Fund any surplus remaining in the
25 Income Tax Refund Fund as of the end of such fiscal year;
26 excluding for fiscal years 2000, 2001, and 2002 amounts

1 attributable to transfers under item (3) of subsection (c)
2 less refunds resulting from the earned income tax credit.

3 (5) This Act shall constitute an irrevocable and
4 continuing appropriation from the Income Tax Refund Fund
5 for the purpose of paying refunds upon the order of the
6 Director in accordance with the provisions of this Section.

7 (e) Deposits into the Education Assistance Fund and the
8 Income Tax Surcharge Local Government Distributive Fund.

9 On July 1, 1991, and thereafter, of the amounts collected
10 pursuant to subsections (a) and (b) of Section 201 of this Act,
11 minus deposits into the Income Tax Refund Fund, the Department
12 shall deposit 7.3% into the Education Assistance Fund in the
13 State Treasury. Beginning July 1, 1991, and continuing through
14 January 31, 1993, of the amounts collected pursuant to
15 subsections (a) and (b) of Section 201 of the Illinois Income
16 Tax Act, minus deposits into the Income Tax Refund Fund, the
17 Department shall deposit 3.0% into the Income Tax Surcharge
18 Local Government Distributive Fund in the State Treasury.
19 Beginning February 1, 1993 and continuing through June 30,
20 1993, of the amounts collected pursuant to subsections (a) and
21 (b) of Section 201 of the Illinois Income Tax Act, minus
22 deposits into the Income Tax Refund Fund, the Department shall
23 deposit 4.4% into the Income Tax Surcharge Local Government
24 Distributive Fund in the State Treasury. Beginning July 1,
25 1993, and continuing through June 30, 1994, of the amounts
26 collected under subsections (a) and (b) of Section 201 of this

1 Act, minus deposits into the Income Tax Refund Fund, the
2 Department shall deposit 1.475% into the Income Tax Surcharge
3 Local Government Distributive Fund in the State Treasury.

4 (f) Deposits into the Fund for the Advancement of
5 Education. Beginning February 1, 2015, the Department shall
6 deposit the following portions of the revenue realized from the
7 tax imposed upon individuals, trusts, and estates by
8 subsections (a) and (b) of Section 201 of this Act during the
9 preceding month, minus deposits into the Income Tax Refund
10 Fund, into the Fund for the Advancement of Education:

11 (1) beginning February 1, 2015, and prior to February
12 1, 2025, 1/30; and

13 (2) beginning February 1, 2025, 1/26.

14 If the rate of tax imposed by subsection (a) and (b) of
15 Section 201 is reduced pursuant to Section 201.5 of this Act,
16 the Department shall not make the deposits required by this
17 subsection (f) on or after the effective date of the reduction.

18 (g) Deposits into the Commitment to Human Services Fund.
19 Beginning February 1, 2015, the Department shall deposit the
20 following portions of the revenue realized from the tax imposed
21 upon individuals, trusts, and estates by subsections (a) and
22 (b) of Section 201 of this Act during the preceding month,
23 minus deposits into the Income Tax Refund Fund, into the
24 Commitment to Human Services Fund:

25 (1) beginning February 1, 2015, and prior to February
26 1, 2025, 1/30; and

1 (2) beginning February 1, 2025, 1/26.

2 If the rate of tax imposed by subsection (a) and (b) of
3 Section 201 is reduced pursuant to Section 201.5 of this Act,
4 the Department shall not make the deposits required by this
5 subsection (g) on or after the effective date of the reduction.
6 (Source: P.A. 96-45, eff. 7-15-09; 96-328, eff. 8-11-09;
7 96-959, eff. 7-1-10; 96-1496, eff. 1-13-11; 97-72, eff.
8 7-1-11.)

9 Section 5-35. The Illinois Estate and Generation-Skipping
10 Transfer Tax Act is amended by changing Sections 6 and 13 as
11 follows:

12 (35 ILCS 405/6) (from Ch. 120, par. 405A-6)

13 Sec. 6. Returns and payments.

14 (a) Due Dates. The Illinois transfer tax shall be paid and
15 the Illinois transfer tax return shall be filed on the due date
16 or dates, respectively, including extensions, for paying the
17 federal transfer tax and filing the related federal return.

18 (b) Installment payments and deferral. In the event that
19 any portion of the federal transfer tax is deferred or to be
20 paid in installments under the provisions of the Internal
21 Revenue Code, the portion of the Illinois transfer tax which is
22 subject to deferral or payable in installments shall be
23 determined by multiplying the Illinois transfer tax by a
24 fraction, the numerator of which is the gross value of the

1 assets included in the transferred property having a tax situs
2 in this State and which give rise to the deferred or
3 installment payment under the Internal Revenue Code, and the
4 denominator of which is the gross value of all assets included
5 in the transferred property having a tax situs in this State.
6 Deferred payments and installment payments, with interest,
7 shall be paid at the same time and in the same manner as
8 payments of the federal transfer tax are required to be made
9 under the applicable Sections of the Internal Revenue Code,
10 provided that the rate of interest on unpaid amounts of
11 Illinois transfer tax shall be determined under this Act.
12 Acceleration of payment under this Section shall occur under
13 the same circumstances and in the same manner as provided in
14 the Internal Revenue Code.

15 (c) Who shall file and pay. The Illinois transfer tax
16 return (including any supplemental or amended return) shall be
17 filed, and the Illinois transfer tax (including any additional
18 tax that may become due) shall be paid by the same person or
19 persons, respectively, who are required to pay the federal
20 transfer tax and file the federal return, or who would have
21 been required to pay a federal transfer tax and file a federal
22 return if a federal transfer tax were due.

23 (d) Where to file return. The executed Illinois transfer
24 tax return shall be filed with the Attorney General. In
25 addition, for payments made prior to July 1, 2012, a copy of
26 the Illinois transfer tax return shall be filed with the county

1 treasurer to whom the Illinois transfer tax is paid, determined
2 under subsection (e) of this Section, and, for payments made on
3 or after July 1, 2012, a copy of the Illinois transfer tax
4 return shall be filed with the State Treasurer.

5 (e) Where to pay tax. The Illinois transfer tax shall be
6 paid according to ~~to the treasurer of the county determined~~
7 ~~under~~ the following rules:

8 (1) Illinois Estate Tax. Prior to July 1, 2012, the ~~The~~
9 Illinois estate tax shall be paid to the treasurer of the
10 county in which the decedent was a resident on the date of
11 the decedent's death or, if the decedent was not a resident
12 of this State on the date of death, the county in which the
13 greater part, by gross value, of the transferred property
14 with a tax situs in this State is located.

15 (2) Illinois Generation-Skipping Transfer Tax. Prior
16 to July 1, 2012, the ~~The~~ Illinois generation-skipping
17 transfer tax involving transferred property from or in a
18 resident trust shall be paid to the county treasurer for
19 the county in which the grantor resided at the time the
20 trust became irrevocable (in the case of an inter vivos
21 trust) or the county in which the decedent resided at death
22 (in the case of a trust created by the will of a decedent).
23 In the case of an Illinois generation-skipping transfer tax
24 involving transferred property from or in a non-resident
25 trust, the Illinois generation-skipping transfer tax shall
26 be paid to the county treasurer for the county in which the

1 greater part, by gross value, of the transferred property
2 with a tax situs in this State is located.

3 (3) Payments on or after July 1, 2012. On or after July
4 1, 2012, both the Illinois estate tax and the Illinois
5 generation-skipping transfer tax shall be paid directly to
6 the State Treasurer.

7 (f) Forms; confidentiality. The Illinois transfer tax
8 return shall be in all respects in the manner and form
9 prescribed by the regulations of the Attorney General. At the
10 same time the Illinois transfer tax return is filed, the person
11 required to file shall also file with the Attorney General a
12 copy of the related federal return. For individuals dying after
13 December 31, 2005, in cases where no federal return is required
14 to be filed, the person required to file an Illinois return
15 shall also file with the Attorney General schedules of assets
16 in the manner and form prescribed by the Attorney General. The
17 Illinois transfer tax return and the copy of the federal return
18 filed with the Attorney General, the ~~or any~~ county treasurer,
19 or the State Treasurer shall be confidential, and the Attorney
20 General, each county treasurer, and the State Treasurer and all
21 of their assistants or employees are prohibited from divulging
22 in any manner any of the contents of those returns, except only
23 in a proceeding instituted under the provisions of this Act.

24 (g) County Treasurer shall accept payment. Prior to July 1,
25 2012, no ~~no~~ county treasurer shall refuse to accept payment of
26 any amount due under this Act on the grounds that the county

1 treasurer has not yet received a copy of the appropriate
2 Illinois transfer tax return.

3 (h) Beginning July 1, 2012, the State Treasurer shall not
4 refuse to accept payment of any amount due under this Act on
5 the grounds that the State Treasurer has not yet received a
6 copy of the appropriate Illinois transfer tax return.

7 (Source: P.A. 93-30, eff. 6-20-03.)

8 (35 ILCS 405/13) (from Ch. 120, par. 405A-13)

9 Sec. 13. Collection by county treasurers; tax collection
10 distribution fund.

11 (a) Collection by county treasurers. Each county treasurer
12 shall transmit to the State Treasurer all taxes, interest or
13 penalties paid to the county treasurer under this Act and in
14 the county treasurer's possession as of the last day of the
15 previous month, together with a report under oath identifying
16 the taxpayer for or by whom an amount was paid. Those amounts
17 and the report shall be transmitted to and received by the
18 State Treasurer by the 10th day of each month. At the same
19 time, a copy of the report shall be furnished to the Attorney
20 General. The report shall be in a form and contain the
21 particulars as the State Treasurer may prescribe. The State
22 Treasurer shall give the county treasurer a receipt for the
23 amount transmitted to the State Treasurer. Except as provided
24 in subsection (a-5) of this Section, if any county treasurer
25 fails to pay to the State Treasurer all amounts that may be due

1 and payable under this Act as required by this Section, the
2 county treasurer shall pay to the State Treasurer, as a
3 penalty, a sum of money equal to the interest on the amounts
4 not paid at the rate of 1% per month from the time those
5 amounts are due by the county treasurer until those amounts are
6 paid. The sureties upon the official bond of the county
7 treasurer shall be security for the payment of the penalty. The
8 penalty under this Section may be recovered in a civil action
9 against the county treasurer and his or her sureties, in the
10 name of the People of the State of Illinois, in the circuit
11 court within the county wherein the county treasurer is
12 resident; and the penalty, when recovered, shall be paid into
13 the State treasury. The civil action to recover the penalty
14 shall be brought by the State treasurer within 10 days after
15 the failure of the county treasurer to pay to the State
16 Treasurer any amounts collected by the county treasurer within
17 the time required by this Act. Failure to bring the action
18 within that time shall not prevent the bringing of the action
19 thereafter. It is the duty of the State Treasurer to make
20 necessary and proper investigation to determine what amounts
21 should be paid under this Act.

22 (a-5) The State Treasurer may waive penalties imposed by
23 subsection (a) of this Section on a case-by-case basis if the
24 State Treasurer finds that imposing penalties would be
25 unreasonable or unnecessarily burdensome because the delay in
26 payment was due to an incident caused by the operation of an

1 extraordinary force, including, but not limited to, the
2 occurrence of a natural disaster, that cannot be foreseen, that
3 cannot be avoided by the exercise of due care, and for which no
4 person can be held liable.

5 (b) Transfer Tax Collection Distributive Fund. The
6 Transfer Tax Collection Distributive Fund is created as a
7 special fund in the State treasury. The Fund is a continuation
8 of the Fund of the same name created under the Illinois Estate
9 Tax Law, repealed by this Act. As soon as may be after the
10 first day of each month after the effective date of this Act,
11 and before September 1, 2012, the State Treasurer shall
12 transfer from the General Revenue Fund to the Transfer Tax
13 Collection Distributive Fund an amount equal to 6% of the net
14 revenue realized from this Act during the preceding month.

15 As soon as may be after the first day of each month, the
16 State Treasurer shall allocate among the counties of this State
17 the amount available in the Transfer Tax Collection
18 Distributive Fund. The allocation to each county shall be 6% of
19 the net revenues collected by the county treasurer under this
20 Act. The State Comptroller, pursuant to appropriation, shall
21 then pay those allocations over to the counties. As soon as
22 possible after all of the required monthly allocations are made
23 from the Transfer Tax Collection Distributive Fund and before
24 September 1, 2012, the State Comptroller shall order
25 transferred and the State Treasurer shall transfer any moneys
26 remaining in the Transfer Tax Collection Distributive Fund from

1 that Fund to the General Revenue Fund, and the Transfer Tax
2 Collection Distributive Fund shall be dissolved.

3 (c) On and after July 1, 2012, 94% of the amounts collected
4 from the taxes, interest, and penalties collected under this
5 Act shall be deposited into the General Revenue Fund and 6% of
6 those amounts shall be deposited into the Estate Tax Refund
7 Fund, a special fund created in the State Treasury.

8 Moneys in the Estate Tax Refund Fund shall be expended
9 exclusively for the purpose of paying refunds resulting from
10 overpayment of tax liability under this Act, except that,
11 whenever the State Treasurer determines that any such moneys in
12 the Fund exceed the amount required for the purpose of paying
13 refunds resulting from overpayment of tax liability under this
14 Act, the State Treasurer may transfer any such excess amounts
15 from the Estate Tax Refund Fund to the General Revenue Fund.

16 The Treasurer shall order payment of refunds resulting from
17 overpayment of tax liability under this Act from the Estate Tax
18 Refund Fund only to the extent that amounts have been deposited
19 and retained in the Fund.

20 This amendatory Act of the 97th General Assembly shall
21 constitute an irrevocable and continuing appropriation from
22 the Estate Tax Refund Fund for the purpose of paying refunds
23 upon the order of the Treasurer in accordance with the
24 provisions of this Act and for the purpose of paying refunds
25 under this Act.

26 (Source: P.A. 96-1162, eff. 7-21-10.)

1 Section 5-40. The Illinois Police Training Act is amended
2 by changing Section 9 as follows:

3 (50 ILCS 705/9) (from Ch. 85, par. 509)

4 Sec. 9. A special fund is hereby established in the State
5 Treasury to be known as "The Traffic and Criminal Conviction
6 Surcharge Fund" and shall be financed as provided in Section
7 9.1 of this Act and Section 5-9-1 of the "Unified Code of
8 Corrections", unless the fines, costs or additional amounts
9 imposed are subject to disbursement by the circuit clerk under
10 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund
11 shall be expended as follows:

12 (1) A portion of the total amount deposited in the Fund
13 may be used, as appropriated by the General Assembly, for
14 the ordinary and contingent expenses of the Illinois Law
15 Enforcement Training Standards Board;

16 (2) A portion of the total amount deposited in the Fund
17 shall be appropriated for the reimbursement of local
18 governmental agencies participating in training programs
19 certified by the Board, in an amount equaling 1/2 of the
20 total sum paid by such agencies during the State's previous
21 fiscal year for mandated training for probationary police
22 officers or probationary county corrections officers and
23 for optional advanced and specialized law enforcement or
24 county corrections training. These reimbursements may

1 include the costs for tuition at training schools, the
2 salaries of trainees while in schools, and the necessary
3 travel and room and board expenses for each trainee. If the
4 appropriations under this paragraph (2) are not sufficient
5 to fully reimburse the participating local governmental
6 agencies, the available funds shall be apportioned among
7 such agencies, with priority first given to repayment of
8 the costs of mandatory training given to law enforcement
9 officer or county corrections officer recruits, then to
10 repayment of costs of advanced or specialized training for
11 permanent police officers or permanent county corrections
12 officers;

13 (3) A portion of the total amount deposited in the Fund
14 may be used to fund the "Intergovernmental Law Enforcement
15 Officer's In-Service Training Act", veto overridden
16 October 29, 1981, as now or hereafter amended, at a rate
17 and method to be determined by the board;

18 (4) A portion of the Fund also may be used by the
19 Illinois Department of State Police for expenses incurred
20 in the training of employees from any State, county or
21 municipal agency whose function includes enforcement of
22 criminal or traffic law;

23 (5) A portion of the Fund may be used by the Board to
24 fund grant-in-aid programs and services for the training of
25 employees from any county or municipal agency whose
26 functions include corrections or the enforcement of

1 criminal or traffic law; ~~and-~~

2 (6) For fiscal year 2013 only, a portion of the Fund
3 also may be used by the Department of State Police to
4 finance any of its lawful purposes or functions.

5 All payments from The Traffic and Criminal Conviction
6 Surcharge Fund shall be made each year from moneys appropriated
7 for the purposes specified in this Section. No more than 50% of
8 any appropriation under this Act shall be spent in any city
9 having a population of more than 500,000. The State Comptroller
10 and the State Treasurer shall from time to time, at the
11 direction of the Governor, transfer from The Traffic and
12 Criminal Conviction Surcharge Fund to the General Revenue Fund
13 in the State Treasury such amounts as the Governor determines
14 are in excess of the amounts required to meet the obligations
15 of The Traffic and Criminal Conviction Surcharge Fund.

16 (Source: P.A. 88-586, eff. 8-12-94; 89-464, eff. 6-13-96.)

17 Section 5-45. The Law Enforcement Camera Grant Act is
18 amended by changing Section 10 as follows:

19 (50 ILCS 707/10)

20 Sec. 10. Law Enforcement Camera Grant Fund; creation,
21 rules.

22 (a) The Law Enforcement Camera Grant Fund is created as a
23 special fund in the State treasury. From appropriations to the
24 Board from the Fund, the Board must make grants to units of

1 local government in Illinois for the purpose of installing
2 video cameras in law enforcement vehicles and training law
3 enforcement officers in the operation of the cameras.

4 Moneys received for the purposes of this Section,
5 including, without limitation, fee receipts and gifts, grants,
6 and awards from any public or private entity, must be deposited
7 into the Fund. Any interest earned on moneys in the Fund must
8 be deposited into the Fund.

9 (b) The Board may set requirements for the distribution of
10 grant moneys and determine which law enforcement agencies are
11 eligible.

12 (c) The Board shall develop model rules to be adopted by
13 law enforcement agencies that receive grants under this
14 Section. The rules shall include the following requirements:

15 (1) Cameras must be installed in the law enforcement
16 vehicles.

17 (2) Videotaping must provide audio of the officer when
18 the officer is outside of the vehicle.

19 (3) Camera access must be restricted to the supervisors
20 of the officer in the vehicle.

21 (4) Cameras must be turned on continuously throughout
22 the officer's shift.

23 (5) A copy of the videotape must be made available upon
24 request to personnel of the law enforcement agency, the
25 local State's Attorney, and any persons depicted in the
26 video. Procedures for distribution of the videotape must

1 include safeguards to protect the identities of
2 individuals who are not a party to the requested stop.

3 (6) Law enforcement agencies that receive moneys under
4 this grant shall provide for storage of the tapes for a
5 period of not less than 2 years.

6 (d) Any law enforcement agency receiving moneys under this
7 Section must provide an annual report to the Board, the
8 Governor, and the General Assembly, which will be due on May 1
9 of the year following the receipt of the grant and each May 1
10 thereafter during the period of the grant. The report shall
11 include (i) the number of cameras received by the law
12 enforcement agency, (ii) the number of cameras actually
13 installed in law enforcement vehicles, (iii) a brief
14 description of the review process used by supervisors within
15 the law enforcement agency, (iv) a list of any criminal,
16 traffic, ordinance, and civil cases where video recordings were
17 used, including party names, case numbers, offenses charged,
18 and disposition of the matter, (this item applies, but is not
19 limited to, court proceedings, coroner's inquests, grand jury
20 proceedings, and plea bargains), and (v) any other information
21 relevant to the administration of the program.

22 (e) No applications for grant money under this Section
23 shall be accepted before January 1, 2007 or after January 1,
24 2011.

25 (f) Notwithstanding any other provision of law, in addition
26 to any other transfers that may be provided by law, on July 1,

1 2012 only, or as soon thereafter as practical, the State
2 Comptroller shall direct and the State Treasurer shall transfer
3 any funds in excess of \$1,000,000 held in the Law Enforcement
4 Camera Grant Fund to the State Police Operations Assistance
5 Fund.

6 (Source: P.A. 94-987, eff. 6-30-06.)

7 Section 5-50. The Illinois Nuclear Safety Preparedness Act
8 is amended by changing Sections 4, 7, and 8.5 as follows:

9 (420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)

10 Sec. 4. Nuclear accident plans; fees. Persons engaged
11 within this State in the production of electricity utilizing
12 nuclear energy, the operation of nuclear test and research
13 reactors, the chemical conversion of uranium, or the
14 transportation, storage or possession of spent nuclear fuel or
15 high-level radioactive waste shall pay fees to cover the cost
16 of establishing plans and programs to deal with the possibility
17 of nuclear accidents. Except as provided below, the fees shall
18 be used ~~exclusively~~ to fund those Agency and local government
19 activities defined as necessary by the Director to implement
20 and maintain the plans and programs authorized by this Act.
21 Local governments incurring expenses attributable to
22 implementation and maintenance of the plans and programs
23 authorized by this Act may apply to the Agency for compensation
24 for those expenses, and upon approval by the Director of

1 applications submitted by local governments, the Agency shall
2 compensate local governments from fees collected under this
3 Section. Compensation for local governments shall include
4 \$250,000 in any year through fiscal year 1993, \$275,000 in
5 fiscal year 1994 and fiscal year 1995, \$300,000 in fiscal year
6 1996, \$400,000 in fiscal year 1997, and \$450,000 in fiscal year
7 1998 and thereafter. Appropriations to the Department of
8 Nuclear Safety (of which the Agency is the successor) for
9 compensation to local governments from the Nuclear Safety
10 Emergency Preparedness Fund provided for in this Section shall
11 not exceed \$650,000 per State fiscal year. Expenditures from
12 these appropriations shall not exceed, in a single State fiscal
13 year, the annual compensation amount made available to local
14 governments under this Section, unexpended funds made
15 available for local government compensation in the previous
16 fiscal year, and funds recovered under the Illinois Grant Funds
17 Recovery Act during previous fiscal years. Notwithstanding any
18 other provision of this Act, the expenditure limitation for
19 fiscal year 1998 shall include the additional \$100,000 made
20 available to local governments for fiscal year 1997 under this
21 amendatory Act of 1997. ~~Any funds within these expenditure~~
22 ~~limitations, including the additional \$100,000 made available~~
23 ~~for fiscal year 1997 under this amendatory Act of 1997, that~~
24 ~~remain unexpended at the close of business on June 30, 1997,~~
25 ~~and on June 30 of each succeeding year, shall be excluded from~~
26 ~~the calculations of credits under subparagraph (3) of this~~

1 ~~Section.~~ The Agency shall, by rule, determine the method for
2 compensating local governments under this Section. The
3 appropriation shall not exceed \$500,000 in any year preceding
4 fiscal year 1996; the appropriation shall not exceed \$625,000
5 in fiscal year 1996, \$725,000 in fiscal year 1997, and \$775,000
6 in fiscal year 1998 and thereafter. The fees shall consist of
7 the following:

8 (1) A one-time charge of \$590,000 per nuclear power
9 station in this State to be paid by the owners of the
10 stations.

11 (2) An additional charge of \$240,000 per nuclear power
12 station for which a fee under subparagraph (1) was paid
13 before June 30, 1982.

14 (3) Through June 30, 1982, an annual fee of \$75,000 per
15 year for each nuclear power reactor for which an operating
16 license has been issued by the NRC, and after June 30,
17 1982, and through June 30, 1984 an annual fee of \$180,000
18 per year for each nuclear power reactor for which an
19 operating license has been issued by the NRC, and after
20 June 30, 1984, and through June 30, 1991, an annual fee of
21 \$400,000 for each nuclear power reactor for which an
22 operating license has been issued by the NRC, to be paid by
23 the owners of nuclear power reactors operating in this
24 State. After June 30, 1991, the owners of nuclear power
25 reactors in this State for which operating licenses have
26 been issued by the NRC shall pay the following fees for

1 each such nuclear power reactor: for State fiscal year
2 1992, \$925,000; for State fiscal year 1993, \$975,000; for
3 State fiscal year 1994; \$1,010,000; for State fiscal year
4 1995, \$1,060,000; for State fiscal years 1996 and 1997,
5 \$1,110,000; for State fiscal year 1998, \$1,314,000; for
6 State fiscal year 1999, \$1,368,000; for State fiscal year
7 2000, \$1,404,000; for State fiscal year 2001, \$1,696,455;
8 for State fiscal year 2002, \$1,730,636; for State fiscal
9 year 2003 through State fiscal year 2011, \$1,757,727; for
10 State fiscal year 2012 and subsequent fiscal years,
11 \$1,903,182. ~~Within 120 days after the end of the State~~
12 ~~fiscal year, the Agency shall determine, from the records~~
13 ~~of the Office of the Comptroller, the balance in the~~
14 ~~Nuclear Safety Emergency Preparedness Fund. When the~~
15 ~~balance in the fund, less any fees collected under this~~
16 ~~Section prior to their being due and payable for the~~
17 ~~succeeding fiscal year or years, exceeds \$400,000 at the~~
18 ~~close of business on June 30, 1993, 1994, 1995, 1996, 1997,~~
19 ~~and 1998, or exceeds \$500,000 at the close of business on~~
20 ~~June 30, 1999 and June 30 of each succeeding year, the~~
21 ~~excess shall be credited to the owners of nuclear power~~
22 ~~reactors who are assessed fees under this subparagraph.~~
23 ~~Credits shall be applied against the fees to be collected~~
24 ~~under this subparagraph for the subsequent fiscal year.~~
25 ~~Each owner shall receive as a credit that amount of the~~
26 ~~excess which corresponds proportionately to the amount the~~

1 ~~owner contributed to all fees collected under this~~
2 ~~subparagraph in the fiscal year that produced the excess.~~

3 (3.5) The owner of a nuclear power reactor that
4 notifies the Nuclear Regulatory Commission that the
5 nuclear power reactor has permanently ceased operations
6 during State fiscal year 1998 shall pay the following fees
7 for each such nuclear power reactor: \$1,368,000 for State
8 fiscal year 1999 and \$1,404,000 for State fiscal year 2000.

9 (4) A capital expenditure surcharge of \$1,400,000 per
10 nuclear power station in this State, whether operating or
11 under construction, shall be paid by the owners of the
12 station.

13 (5) An annual fee of \$25,000 per year for each site for
14 which a valid operating license has been issued by NRC for
15 the operation of an away-from-reactor spent nuclear fuel or
16 high-level radioactive waste storage facility, to be paid
17 by the owners of facilities for the storage of spent
18 nuclear fuel or high-level radioactive waste for others in
19 this State.

20 (6) A one-time charge of \$280,000 for each facility in
21 this State housing a nuclear test and research reactor, to
22 be paid by the operator of the facility. However, this
23 charge shall not be required to be paid by any
24 tax-supported institution.

25 (7) A one-time charge of \$50,000 for each facility in
26 this State for the chemical conversion of uranium, to be

1 paid by the owner of the facility.

2 (8) An annual fee of \$150,000 per year for each
3 facility in this State housing a nuclear test and research
4 reactor, to be paid by the operator of the facility.
5 However, this annual fee shall not be required to be paid
6 by any tax-supported institution.

7 (9) An annual fee of \$15,000 per year for each facility
8 in this State for the chemical conversion of uranium, to be
9 paid by the owner of the facility.

10 (10) A fee assessed at the rate of \$2,500 per truck for
11 each truck shipment and \$4,500 for the first cask and
12 \$3,000 for each additional cask for each rail shipment of
13 spent nuclear fuel, high-level radioactive waste,
14 transuranic waste, or a highway route controlled quantity
15 of radioactive materials received at or departing from any
16 nuclear power station or away-from-reactor spent nuclear
17 fuel, high-level radioactive waste, transuranic waste
18 storage facility, or other facility in this State to be
19 paid by the shipper of the spent nuclear fuel, high level
20 radioactive waste, transuranic waste, or highway route
21 controlled quantity of radioactive material. Truck
22 shipments of greater than 250 miles in Illinois are subject
23 to a surcharge of \$25 per mile over 250 miles for each
24 truck in the shipment. ~~The amount of fees collected each~~
25 ~~fiscal year under this subparagraph shall be excluded from~~
26 ~~the calculation of credits under subparagraph (3) of this~~

1 ~~Section.~~

2 (11) A fee assessed at the rate of \$2,500 per truck for
3 each truck shipment and \$4,500 for the first cask and
4 \$3,000 for each additional cask for each rail shipment of
5 spent nuclear fuel, high-level radioactive waste,
6 transuranic waste, or a highway route controlled quantity
7 of radioactive materials traversing the State to be paid by
8 the shipper of the spent nuclear fuel, high level
9 radioactive waste, transuranic waste, or highway route
10 controlled quantity of radioactive material. Truck
11 shipments of greater than 250 miles in Illinois are subject
12 to a surcharge of \$25 per mile over 250 miles for each
13 truck in the shipment. ~~The amount of fees collected each~~
14 ~~fiscal year under this subparagraph shall be excluded from~~
15 ~~the calculation of credits under subparagraph (3) of this~~
16 ~~Section.~~

17 (12) In each of the State fiscal years 1988 through
18 1991, in addition to the annual fee provided for in
19 subparagraph (3), a fee of \$400,000 for each nuclear power
20 reactor for which an operating license has been issued by
21 the NRC, to be paid by the owners of nuclear power reactors
22 operating in this State. Within 120 days after the end of
23 the State fiscal years ending June 30, 1988, June 30, 1989,
24 June 30, 1990, and June 30, 1991, the Agency shall
25 determine the expenses of the Illinois Nuclear Safety
26 Preparedness Program paid from funds appropriated for

1 those fiscal years. ~~When the aggregate of all fees,~~
2 ~~charges, and surcharges collected under this Section~~
3 ~~during any fiscal year exceeds the total expenditures under~~
4 ~~this Act from appropriations for that fiscal year, the~~
5 ~~excess shall be credited to the owners of nuclear power~~
6 ~~reactors who are assessed fees under this subparagraph, and~~
7 ~~the credits shall be applied against the fees to be~~
8 ~~collected under this subparagraph for the subsequent~~
9 ~~fiscal year. Each owner shall receive as a credit that~~
10 ~~amount of the excess that corresponds proportionately to~~
11 ~~the amount the owner contributed to all fees collected~~
12 ~~under this subparagraph in the fiscal year that produced~~
13 ~~the excess.~~

14 (Source: P.A. 97-195, eff. 7-25-11.)

15 (420 ILCS 5/7) (from Ch. 111 1/2, par. 4307)

16 Sec. 7. All monies received by the Agency under this Act
17 shall be deposited in the State Treasury and shall be set apart
18 in a special fund to be known as the "Nuclear Safety Emergency
19 Preparedness Fund". All monies within the Nuclear Safety
20 Emergency Preparedness Fund shall be invested by the State
21 Treasurer in accordance with established investment practices.
22 Interest earned by such investment shall be returned to the
23 Nuclear Safety Emergency Preparedness Fund. Monies deposited
24 in this fund shall be expended by the Agency ~~Director only~~ to
25 support the activities of the Illinois Nuclear Safety

1 Preparedness Program, including activities of the Illinois
2 State Police and the Illinois Commerce Commission under Section
3 8(a)(9), or to fund any other administrative or operational
4 costs of the Agency.

5 (Source: P.A. 92-576, eff. 6-26-02; 93-1029, eff. 8-25-04.)

6 (420 ILCS 5/8.5)

7 (Section scheduled to be repealed on January 1, 2015)

8 Sec. 8.5. Remote monitoring system upgrades and equipment
9 replacement.

10 (a) Each nuclear power reactor for which an operating
11 license has been issued by the NRC shall be subject to the fees
12 described in this Section, which shall be paid by the owner or
13 owners of each reactor into the Nuclear Safety Emergency
14 Preparedness Fund. ~~The fees in this Section shall be used~~
15 ~~solely for the purposes set forth in this Section and cannot be~~
16 ~~transferred for other purposes.~~

17 (1) Within 14 days after the Agency notifies each owner
18 subject to the fee requirements of this Section that the
19 Agency has entered into one or more contracts with a third
20 party for purposes of upgrading the remote monitoring
21 system software and that such work will commence within 30
22 days, the owner or owners shall make a payment of \$19,697
23 for each reactor owned. Thereafter, for each such reactor,
24 the owner or owners shall submit 11 quarterly payments of
25 \$19,697. The Agency shall use the fees collected in this

1 subsection for purposes of upgrading remote monitoring
2 system software and to acquire, replace, or upgrade
3 equipment related to such monitoring, including, but not
4 limited to, generators and transfer switches, air
5 compressors, detection equipment, data loggers, and solar
6 panels.

7 (2) Within 90 days after the effective date of this
8 amendatory Act of the 97th General Assembly, the owner or
9 owners subject to the fee requirements of this Section
10 shall make a payment of \$7,575 for each reactor owned for
11 the purposes of acquiring, replacing, and upgrading
12 equipment, including, but not limited to, dosimeters,
13 safety and command vehicles, liquid scintillation
14 analyzers, an alpha spectrometry system, and compositors.
15 Thereafter, for each such reactor, the owner or owners
16 shall submit 11 quarterly payments of \$7,575.

17 (b) This Section is repealed on January 1, 2015.

18 (Source: P.A. 97-195, eff. 7-25-11.)

19 (420 ILCS 5/6 rep.)

20 Section 5-55. The Illinois Nuclear Safety Preparedness Act
21 is amended by repealing Section 6.

22 Section 5-60. The Radiation Protection Act of 1990 is
23 amended by changing Section 35 as follows:

1 (420 ILCS 40/35) (from Ch. 111 1/2, par. 210-35)

2 (Section scheduled to be repealed on January 1, 2021)

3 Sec. 35. Radiation Protection Fund.

4 (a) All moneys received by the Agency under this Act shall
5 be deposited in the State treasury and shall be set apart in a
6 special fund to be known as the "Radiation Protection Fund".
7 All monies within the Radiation Protection Fund shall be
8 invested by the State Treasurer in accordance with established
9 investment practices. Interest earned by such investment shall
10 be returned to the Radiation Protection Fund. Monies deposited
11 in this Fund shall be expended by the Agency ~~Assistant Director~~
12 pursuant to appropriation ~~only~~ to support the activities of the
13 Agency under this Act and as provided in the Laser System Act
14 of 1997 and the Radon Industry Licensing Act, or to fund any
15 other administrative or operational costs of the Agency.

16 (b) On August 15, 1997, all moneys remaining in the Federal
17 Facilities Compliance Fund shall be transferred to the
18 Radiation Protection Fund.

19 (Source: P.A. 94-104, eff. 7-1-05.)

20 ARTICLE 10. RETIREMENT CONTRIBUTIONS

21 Section 10-5. The State Finance Act is amended by changing
22 Sections 8.12 and 14.1 as follows:

23 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

1 Sec. 8.12. State Pensions Fund.

2 (a) The moneys in the State Pensions Fund shall be used
3 exclusively for the administration of the Uniform Disposition
4 of Unclaimed Property Act and for the expenses incurred by the
5 Auditor General for administering the provisions of Section
6 2-8.1 of the Illinois State Auditing Act and for the funding of
7 the unfunded liabilities of the designated retirement systems.
8 Beginning in State fiscal year 2014, payments ~~Payments~~ to the
9 designated retirement systems under this Section shall be in
10 addition to, and not in lieu of, any State contributions
11 required under the Illinois Pension Code.

12 "Designated retirement systems" means:

13 (1) the State Employees' Retirement System of
14 Illinois;

15 (2) the Teachers' Retirement System of the State of
16 Illinois;

17 (3) the State Universities Retirement System;

18 (4) the Judges Retirement System of Illinois; and

19 (5) the General Assembly Retirement System.

20 (b) Each year the General Assembly may make appropriations
21 from the State Pensions Fund for the administration of the
22 Uniform Disposition of Unclaimed Property Act.

23 Each month, the Commissioner of the Office of Banks and
24 Real Estate shall certify to the State Treasurer the actual
25 expenditures that the Office of Banks and Real Estate incurred
26 conducting unclaimed property examinations under the Uniform

1 Disposition of Unclaimed Property Act during the immediately
2 preceding month. Within a reasonable time following the
3 acceptance of such certification by the State Treasurer, the
4 State Treasurer shall pay from its appropriation from the State
5 Pensions Fund to the Bank and Trust Company Fund and the
6 Savings and Residential Finance Regulatory Fund an amount equal
7 to the expenditures incurred by each Fund for that month.

8 Each month, the Director of Financial Institutions shall
9 certify to the State Treasurer the actual expenditures that the
10 Department of Financial Institutions incurred conducting
11 unclaimed property examinations under the Uniform Disposition
12 of Unclaimed Property Act during the immediately preceding
13 month. Within a reasonable time following the acceptance of
14 such certification by the State Treasurer, the State Treasurer
15 shall pay from its appropriation from the State Pensions Fund
16 to the Financial Institutions Fund and the Credit Union Fund an
17 amount equal to the expenditures incurred by each Fund for that
18 month.

19 (c) As soon as possible after the effective date of this
20 amendatory Act of the 93rd General Assembly, the General
21 Assembly shall appropriate from the State Pensions Fund (1) to
22 the State Universities Retirement System the amount certified
23 under Section 15-165 during the prior year, (2) to the Judges
24 Retirement System of Illinois the amount certified under
25 Section 18-140 during the prior year, and (3) to the General
26 Assembly Retirement System the amount certified under Section

1 2-134 during the prior year as part of the required State
2 contributions to each of those designated retirement systems;
3 except that amounts appropriated under this subsection (c) in
4 State fiscal year 2005 shall not reduce the amount in the State
5 Pensions Fund below \$5,000,000. If the amount in the State
6 Pensions Fund does not exceed the sum of the amounts certified
7 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
8 the amount paid to each designated retirement system under this
9 subsection shall be reduced in proportion to the amount
10 certified by each of those designated retirement systems.

11 (c-5) For fiscal years 2006 through 2013 ~~2012~~, the General
12 Assembly shall appropriate from the State Pensions Fund to the
13 State Universities Retirement System the amount estimated to be
14 available during the fiscal year in the State Pensions Fund;
15 provided, however, that the amounts appropriated under this
16 subsection (c-5) shall not reduce the amount in the State
17 Pensions Fund below \$5,000,000.

18 (c-6) For fiscal year 2014 ~~2013~~ and each fiscal year
19 thereafter, as soon as may be practical after any money is
20 deposited into the State Pensions Fund from the Unclaimed
21 Property Trust Fund, the State Treasurer shall apportion the
22 deposited amount among the designated retirement systems as
23 defined in subsection (a) to reduce their actuarial reserve
24 deficiencies. The State Comptroller and State Treasurer shall
25 pay the apportioned amounts to the designated retirement
26 systems to fund the unfunded liabilities of the designated

1 retirement systems. The amount apportioned to each designated
2 retirement system shall constitute a portion of the amount
3 estimated to be available for appropriation from the State
4 Pensions Fund that is the same as that retirement system's
5 portion of the total actual reserve deficiency of the systems,
6 as determined annually by the Governor's Office of Management
7 and Budget at the request of the State Treasurer. The amounts
8 apportioned under this subsection shall not reduce the amount
9 in the State Pensions Fund below \$5,000,000.

10 (d) The Governor's Office of Management and Budget shall
11 determine the individual and total reserve deficiencies of the
12 designated retirement systems. For this purpose, the
13 Governor's Office of Management and Budget shall utilize the
14 latest available audit and actuarial reports of each of the
15 retirement systems and the relevant reports and statistics of
16 the Public Employee Pension Fund Division of the Department of
17 Insurance.

18 (d-1) As soon as practicable after the effective date of
19 this amendatory Act of the 93rd General Assembly, the
20 Comptroller shall direct and the Treasurer shall transfer from
21 the State Pensions Fund to the General Revenue Fund, as funds
22 become available, a sum equal to the amounts that would have
23 been paid from the State Pensions Fund to the Teachers'
24 Retirement System of the State of Illinois, the State
25 Universities Retirement System, the Judges Retirement System
26 of Illinois, the General Assembly Retirement System, and the

1 State Employees' Retirement System of Illinois after the
2 effective date of this amendatory Act during the remainder of
3 fiscal year 2004 to the designated retirement systems from the
4 appropriations provided for in this Section if the transfers
5 provided in Section 6z-61 had not occurred. The transfers
6 described in this subsection (d-1) are to partially repay the
7 General Revenue Fund for the costs associated with the bonds
8 used to fund the moneys transferred to the designated
9 retirement systems under Section 6z-61.

10 (e) The changes to this Section made by this amendatory Act
11 of 1994 shall first apply to distributions from the Fund for
12 State fiscal year 1996.

13 (Source: P.A. 96-959, eff. 7-1-10; 97-72, eff. 7-1-11.)

14 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

15 Sec. 14.1. Appropriations for State contributions to the
16 State Employees' Retirement System; payroll requirements.

17 (a) Appropriations for State contributions to the State
18 Employees' Retirement System of Illinois shall be expended in
19 the manner provided in this Section. Except as otherwise
20 provided in subsections (a-1), (a-2), (a-3), and (a-4) at the
21 time of each payment of salary to an employee under the
22 personal services line item, payment shall be made to the State
23 Employees' Retirement System, from the amount appropriated for
24 State contributions to the State Employees' Retirement System,
25 of an amount calculated at the rate certified for the

1 applicable fiscal year by the Board of Trustees of the State
2 Employees' Retirement System under Section 14-135.08 of the
3 Illinois Pension Code. If a line item appropriation to an
4 employer for this purpose is exhausted or is unavailable due to
5 any limitation on appropriations that may apply, (including,
6 but not limited to, limitations on appropriations from the Road
7 Fund under Section 8.3 of the State Finance Act), the amounts
8 shall be paid under the continuing appropriation for this
9 purpose contained in the State Pension Funds Continuing
10 Appropriation Act.

11 (a-1) Beginning on the effective date of this amendatory
12 Act of the 93rd General Assembly through the payment of the
13 final payroll from fiscal year 2004 appropriations,
14 appropriations for State contributions to the State Employees'
15 Retirement System of Illinois shall be expended in the manner
16 provided in this subsection (a-1). At the time of each payment
17 of salary to an employee under the personal services line item
18 from a fund other than the General Revenue Fund, payment shall
19 be made for deposit into the General Revenue Fund from the
20 amount appropriated for State contributions to the State
21 Employees' Retirement System of an amount calculated at the
22 rate certified for fiscal year 2004 by the Board of Trustees of
23 the State Employees' Retirement System under Section 14-135.08
24 of the Illinois Pension Code. This payment shall be made to the
25 extent that a line item appropriation to an employer for this
26 purpose is available or unexhausted. No payment from

1 appropriations for State contributions shall be made in
2 conjunction with payment of salary to an employee under the
3 personal services line item from the General Revenue Fund.

4 (a-2) For fiscal year 2010 only, at the time of each
5 payment of salary to an employee under the personal services
6 line item from a fund other than the General Revenue Fund,
7 payment shall be made for deposit into the State Employees'
8 Retirement System of Illinois from the amount appropriated for
9 State contributions to the State Employees' Retirement System
10 of Illinois of an amount calculated at the rate certified for
11 fiscal year 2010 by the Board of Trustees of the State
12 Employees' Retirement System of Illinois under Section
13 14-135.08 of the Illinois Pension Code. This payment shall be
14 made to the extent that a line item appropriation to an
15 employer for this purpose is available or unexhausted. For
16 fiscal year 2010 only, no payment from appropriations for State
17 contributions shall be made in conjunction with payment of
18 salary to an employee under the personal services line item
19 from the General Revenue Fund.

20 (a-3) For fiscal year 2011 only, at the time of each
21 payment of salary to an employee under the personal services
22 line item from a fund other than the General Revenue Fund,
23 payment shall be made for deposit into the State Employees'
24 Retirement System of Illinois from the amount appropriated for
25 State contributions to the State Employees' Retirement System
26 of Illinois of an amount calculated at the rate certified for

1 fiscal year 2011 by the Board of Trustees of the State
2 Employees' Retirement System of Illinois under Section
3 14-135.08 of the Illinois Pension Code. This payment shall be
4 made to the extent that a line item appropriation to an
5 employer for this purpose is available or unexhausted. For
6 fiscal year 2011 only, no payment from appropriations for State
7 contributions shall be made in conjunction with payment of
8 salary to an employee under the personal services line item
9 from the General Revenue Fund.

10 (a-4) In fiscal years ~~year~~ 2012 and 2013 only, at the time
11 of each payment of salary to an employee under the personal
12 services line item from a fund other than the General Revenue
13 Fund, payment shall be made for deposit into the State
14 Employees' Retirement System of Illinois from the amount
15 appropriated for State contributions to the State Employees'
16 Retirement System of Illinois of an amount calculated at the
17 rate certified for the applicable fiscal year by the Board of
18 Trustees of the State Employees' Retirement System of Illinois
19 under Section 14-135.08 of the Illinois Pension Code. In fiscal
20 years ~~year~~ 2012 and 2013 only, no payment from appropriations
21 for State contributions shall be made in conjunction with
22 payment of salary to an employee under the personal services
23 line item from the General Revenue Fund.

24 (b) Except during the period beginning on the effective
25 date of this amendatory Act of the 93rd General Assembly and
26 ending at the time of the payment of the final payroll from

1 fiscal year 2004 appropriations, the State Comptroller shall
2 not approve for payment any payroll voucher that (1) includes
3 payments of salary to eligible employees in the State
4 Employees' Retirement System of Illinois and (2) does not
5 include the corresponding payment of State contributions to
6 that retirement system at the full rate certified under Section
7 14-135.08 for that fiscal year for eligible employees, unless
8 the balance in the fund on which the payroll voucher is drawn
9 is insufficient to pay the total payroll voucher, or
10 unavailable due to any limitation on appropriations that may
11 apply, including, but not limited to, limitations on
12 appropriations from the Road Fund under Section 8.3 of the
13 State Finance Act. If the State Comptroller approves a payroll
14 voucher under this Section for which the fund balance is
15 insufficient to pay the full amount of the required State
16 contribution to the State Employees' Retirement System, the
17 Comptroller shall promptly so notify the Retirement System.

18 (b-1) For fiscal year 2010 and fiscal year 2011 only, the
19 State Comptroller shall not approve for payment any non-General
20 Revenue Fund payroll voucher that (1) includes payments of
21 salary to eligible employees in the State Employees' Retirement
22 System of Illinois and (2) does not include the corresponding
23 payment of State contributions to that retirement system at the
24 full rate certified under Section 14-135.08 for that fiscal
25 year for eligible employees, unless the balance in the fund on
26 which the payroll voucher is drawn is insufficient to pay the

1 total payroll voucher, or unavailable due to any limitation on
2 appropriations that may apply, including, but not limited to,
3 limitations on appropriations from the Road Fund under Section
4 8.3 of the State Finance Act. If the State Comptroller approves
5 a payroll voucher under this Section for which the fund balance
6 is insufficient to pay the full amount of the required State
7 contribution to the State Employees' Retirement System of
8 Illinois, the Comptroller shall promptly so notify the
9 retirement system.

10 (c) Notwithstanding any other provisions of law, beginning
11 July 1, 2007, required State and employee contributions to the
12 State Employees' Retirement System of Illinois relating to
13 affected legislative staff employees shall be paid out of
14 moneys appropriated for that purpose to the Commission on
15 Government Forecasting and Accountability, rather than out of
16 the lump-sum appropriations otherwise made for the payroll and
17 other costs of those employees.

18 These payments must be made pursuant to payroll vouchers
19 submitted by the employing entity as part of the regular
20 payroll voucher process.

21 For the purpose of this subsection, "affected legislative
22 staff employees" means legislative staff employees paid out of
23 lump-sum appropriations made to the General Assembly, an
24 Officer of the General Assembly, or the Senate Operations
25 Commission, but does not include district-office staff or
26 employees of legislative support services agencies.

1 (Source: P.A. 96-45, eff. 7-15-09; 96-958, eff. 7-1-10;
2 96-1497, eff. 1-14-11; 97-72, eff. 7-1-11.)

3 Section 10-10. The Illinois Pension Code is amended by
4 changing Section 14-131 as follows:

5 (40 ILCS 5/14-131)

6 Sec. 14-131. Contributions by State.

7 (a) The State shall make contributions to the System by
8 appropriations of amounts which, together with other employer
9 contributions from trust, federal, and other funds, employee
10 contributions, investment income, and other income, will be
11 sufficient to meet the cost of maintaining and administering
12 the System on a 90% funded basis in accordance with actuarial
13 recommendations.

14 For the purposes of this Section and Section 14-135.08,
15 references to State contributions refer only to employer
16 contributions and do not include employee contributions that
17 are picked up or otherwise paid by the State or a department on
18 behalf of the employee.

19 (b) The Board shall determine the total amount of State
20 contributions required for each fiscal year on the basis of the
21 actuarial tables and other assumptions adopted by the Board,
22 using the formula in subsection (e).

23 The Board shall also determine a State contribution rate
24 for each fiscal year, expressed as a percentage of payroll,

1 based on the total required State contribution for that fiscal
2 year (less the amount received by the System from
3 appropriations under Section 8.12 of the State Finance Act and
4 Section 1 of the State Pension Funds Continuing Appropriation
5 Act, if any, for the fiscal year ending on the June 30
6 immediately preceding the applicable November 15 certification
7 deadline), the estimated payroll (including all forms of
8 compensation) for personal services rendered by eligible
9 employees, and the recommendations of the actuary.

10 For the purposes of this Section and Section 14.1 of the
11 State Finance Act, the term "eligible employees" includes
12 employees who participate in the System, persons who may elect
13 to participate in the System but have not so elected, persons
14 who are serving a qualifying period that is required for
15 participation, and annuitants employed by a department as
16 described in subdivision (a) (1) or (a) (2) of Section 14-111.

17 (c) Contributions shall be made by the several departments
18 for each pay period by warrants drawn by the State Comptroller
19 against their respective funds or appropriations based upon
20 vouchers stating the amount to be so contributed. These amounts
21 shall be based on the full rate certified by the Board under
22 Section 14-135.08 for that fiscal year. From the effective date
23 of this amendatory Act of the 93rd General Assembly through the
24 payment of the final payroll from fiscal year 2004
25 appropriations, the several departments shall not make
26 contributions for the remainder of fiscal year 2004 but shall

1 instead make payments as required under subsection (a-1) of
2 Section 14.1 of the State Finance Act. The several departments
3 shall resume those contributions at the commencement of fiscal
4 year 2005.

5 (c-1) Notwithstanding subsection (c) of this Section, for
6 fiscal years 2010, ~~and 2012,~~ and 2013 only, contributions by
7 the several departments are not required to be made for General
8 Revenue Funds payrolls processed by the Comptroller. Payrolls
9 paid by the several departments from all other State funds must
10 continue to be processed pursuant to subsection (c) of this
11 Section.

12 (c-2) For State fiscal years 2010, ~~and 2012,~~ and 2013 only,
13 on or as soon as possible after the 15th day of each month, the
14 Board shall submit vouchers for payment of State contributions
15 to the System, in a total monthly amount of one-twelfth of the
16 fiscal year General Revenue Fund contribution as certified by
17 the System pursuant to Section 14-135.08 of the Illinois
18 Pension Code.

19 (d) If an employee is paid from trust funds or federal
20 funds, the department or other employer shall pay employer
21 contributions from those funds to the System at the certified
22 rate, unless the terms of the trust or the federal-State
23 agreement preclude the use of the funds for that purpose, in
24 which case the required employer contributions shall be paid by
25 the State. From the effective date of this amendatory Act of
26 the 93rd General Assembly through the payment of the final

1 payroll from fiscal year 2004 appropriations, the department or
2 other employer shall not pay contributions for the remainder of
3 fiscal year 2004 but shall instead make payments as required
4 under subsection (a-1) of Section 14.1 of the State Finance
5 Act. The department or other employer shall resume payment of
6 contributions at the commencement of fiscal year 2005.

7 (e) For State fiscal years 2012 through 2045, the minimum
8 contribution to the System to be made by the State for each
9 fiscal year shall be an amount determined by the System to be
10 sufficient to bring the total assets of the System up to 90% of
11 the total actuarial liabilities of the System by the end of
12 State fiscal year 2045. In making these determinations, the
13 required State contribution shall be calculated each year as a
14 level percentage of payroll over the years remaining to and
15 including fiscal year 2045 and shall be determined under the
16 projected unit credit actuarial cost method.

17 For State fiscal years 1996 through 2005, the State
18 contribution to the System, as a percentage of the applicable
19 employee payroll, shall be increased in equal annual increments
20 so that by State fiscal year 2011, the State is contributing at
21 the rate required under this Section; except that (i) for State
22 fiscal year 1998, for all purposes of this Code and any other
23 law of this State, the certified percentage of the applicable
24 employee payroll shall be 5.052% for employees earning eligible
25 creditable service under Section 14-110 and 6.500% for all
26 other employees, notwithstanding any contrary certification

1 made under Section 14-135.08 before the effective date of this
2 amendatory Act of 1997, and (ii) in the following specified
3 State fiscal years, the State contribution to the System shall
4 not be less than the following indicated percentages of the
5 applicable employee payroll, even if the indicated percentage
6 will produce a State contribution in excess of the amount
7 otherwise required under this subsection and subsection (a):
8 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY
9 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

10 Notwithstanding any other provision of this Article, the
11 total required State contribution to the System for State
12 fiscal year 2006 is \$203,783,900.

13 Notwithstanding any other provision of this Article, the
14 total required State contribution to the System for State
15 fiscal year 2007 is \$344,164,400.

16 For each of State fiscal years 2008 through 2009, the State
17 contribution to the System, as a percentage of the applicable
18 employee payroll, shall be increased in equal annual increments
19 from the required State contribution for State fiscal year
20 2007, so that by State fiscal year 2011, the State is
21 contributing at the rate otherwise required under this Section.

22 Notwithstanding any other provision of this Article, the
23 total required State General Revenue Fund contribution for
24 State fiscal year 2010 is \$723,703,100 and shall be made from
25 the proceeds of bonds sold in fiscal year 2010 pursuant to
26 Section 7.2 of the General Obligation Bond Act, less (i) the

1 pro rata share of bond sale expenses determined by the System's
2 share of total bond proceeds, (ii) any amounts received from
3 the General Revenue Fund in fiscal year 2010, and (iii) any
4 reduction in bond proceeds due to the issuance of discounted
5 bonds, if applicable.

6 Notwithstanding any other provision of this Article, the
7 total required State General Revenue Fund contribution for
8 State fiscal year 2011 is the amount recertified by the System
9 on or before April 1, 2011 pursuant to Section 14-135.08 and
10 shall be made from the proceeds of bonds sold in fiscal year
11 2011 pursuant to Section 7.2 of the General Obligation Bond
12 Act, less (i) the pro rata share of bond sale expenses
13 determined by the System's share of total bond proceeds, (ii)
14 any amounts received from the General Revenue Fund in fiscal
15 year 2011, and (iii) any reduction in bond proceeds due to the
16 issuance of discounted bonds, if applicable.

17 Beginning in State fiscal year 2046, the minimum State
18 contribution for each fiscal year shall be the amount needed to
19 maintain the total assets of the System at 90% of the total
20 actuarial liabilities of the System.

21 Amounts received by the System pursuant to Section 25 of
22 the Budget Stabilization Act or Section 8.12 of the State
23 Finance Act in any fiscal year do not reduce and do not
24 constitute payment of any portion of the minimum State
25 contribution required under this Article in that fiscal year.
26 Such amounts shall not reduce, and shall not be included in the

1 calculation of, the required State contributions under this
2 Article in any future year until the System has reached a
3 funding ratio of at least 90%. A reference in this Article to
4 the "required State contribution" or any substantially similar
5 term does not include or apply to any amounts payable to the
6 System under Section 25 of the Budget Stabilization Act.

7 Notwithstanding any other provision of this Section, the
8 required State contribution for State fiscal year 2005 and for
9 fiscal year 2008 and each fiscal year thereafter, as calculated
10 under this Section and certified under Section 14-135.08, shall
11 not exceed an amount equal to (i) the amount of the required
12 State contribution that would have been calculated under this
13 Section for that fiscal year if the System had not received any
14 payments under subsection (d) of Section 7.2 of the General
15 Obligation Bond Act, minus (ii) the portion of the State's
16 total debt service payments for that fiscal year on the bonds
17 issued in fiscal year 2003 for the purposes of that Section
18 7.2, as determined and certified by the Comptroller, that is
19 the same as the System's portion of the total moneys
20 distributed under subsection (d) of Section 7.2 of the General
21 Obligation Bond Act. In determining this maximum for State
22 fiscal years 2008 through 2010, however, the amount referred to
23 in item (i) shall be increased, as a percentage of the
24 applicable employee payroll, in equal increments calculated
25 from the sum of the required State contribution for State
26 fiscal year 2007 plus the applicable portion of the State's

1 total debt service payments for fiscal year 2007 on the bonds
2 issued in fiscal year 2003 for the purposes of Section 7.2 of
3 the General Obligation Bond Act, so that, by State fiscal year
4 2011, the State is contributing at the rate otherwise required
5 under this Section.

6 (f) After the submission of all payments for eligible
7 employees from personal services line items in fiscal year 2004
8 have been made, the Comptroller shall provide to the System a
9 certification of the sum of all fiscal year 2004 expenditures
10 for personal services that would have been covered by payments
11 to the System under this Section if the provisions of this
12 amendatory Act of the 93rd General Assembly had not been
13 enacted. Upon receipt of the certification, the System shall
14 determine the amount due to the System based on the full rate
15 certified by the Board under Section 14-135.08 for fiscal year
16 2004 in order to meet the State's obligation under this
17 Section. The System shall compare this amount due to the amount
18 received by the System in fiscal year 2004 through payments
19 under this Section and under Section 6z-61 of the State Finance
20 Act. If the amount due is more than the amount received, the
21 difference shall be termed the "Fiscal Year 2004 Shortfall" for
22 purposes of this Section, and the Fiscal Year 2004 Shortfall
23 shall be satisfied under Section 1.2 of the State Pension Funds
24 Continuing Appropriation Act. If the amount due is less than
25 the amount received, the difference shall be termed the "Fiscal
26 Year 2004 Overpayment" for purposes of this Section, and the

1 Fiscal Year 2004 Overpayment shall be repaid by the System to
2 the Pension Contribution Fund as soon as practicable after the
3 certification.

4 (g) For purposes of determining the required State
5 contribution to the System, the value of the System's assets
6 shall be equal to the actuarial value of the System's assets,
7 which shall be calculated as follows:

8 As of June 30, 2008, the actuarial value of the System's
9 assets shall be equal to the market value of the assets as of
10 that date. In determining the actuarial value of the System's
11 assets for fiscal years after June 30, 2008, any actuarial
12 gains or losses from investment return incurred in a fiscal
13 year shall be recognized in equal annual amounts over the
14 5-year period following that fiscal year.

15 (h) For purposes of determining the required State
16 contribution to the System for a particular year, the actuarial
17 value of assets shall be assumed to earn a rate of return equal
18 to the System's actuarially assumed rate of return.

19 (i) After the submission of all payments for eligible
20 employees from personal services line items paid from the
21 General Revenue Fund in fiscal year 2010 have been made, the
22 Comptroller shall provide to the System a certification of the
23 sum of all fiscal year 2010 expenditures for personal services
24 that would have been covered by payments to the System under
25 this Section if the provisions of this amendatory Act of the
26 96th General Assembly had not been enacted. Upon receipt of the

1 certification, the System shall determine the amount due to the
2 System based on the full rate certified by the Board under
3 Section 14-135.08 for fiscal year 2010 in order to meet the
4 State's obligation under this Section. The System shall compare
5 this amount due to the amount received by the System in fiscal
6 year 2010 through payments under this Section. If the amount
7 due is more than the amount received, the difference shall be
8 termed the "Fiscal Year 2010 Shortfall" for purposes of this
9 Section, and the Fiscal Year 2010 Shortfall shall be satisfied
10 under Section 1.2 of the State Pension Funds Continuing
11 Appropriation Act. If the amount due is less than the amount
12 received, the difference shall be termed the "Fiscal Year 2010
13 Overpayment" for purposes of this Section, and the Fiscal Year
14 2010 Overpayment shall be repaid by the System to the General
15 Revenue Fund as soon as practicable after the certification.

16 (j) After the submission of all payments for eligible
17 employees from personal services line items paid from the
18 General Revenue Fund in fiscal year 2011 have been made, the
19 Comptroller shall provide to the System a certification of the
20 sum of all fiscal year 2011 expenditures for personal services
21 that would have been covered by payments to the System under
22 this Section if the provisions of this amendatory Act of the
23 96th General Assembly had not been enacted. Upon receipt of the
24 certification, the System shall determine the amount due to the
25 System based on the full rate certified by the Board under
26 Section 14-135.08 for fiscal year 2011 in order to meet the

1 State's obligation under this Section. The System shall compare
2 this amount due to the amount received by the System in fiscal
3 year 2011 through payments under this Section. If the amount
4 due is more than the amount received, the difference shall be
5 termed the "Fiscal Year 2011 Shortfall" for purposes of this
6 Section, and the Fiscal Year 2011 Shortfall shall be satisfied
7 under Section 1.2 of the State Pension Funds Continuing
8 Appropriation Act. If the amount due is less than the amount
9 received, the difference shall be termed the "Fiscal Year 2011
10 Overpayment" for purposes of this Section, and the Fiscal Year
11 2011 Overpayment shall be repaid by the System to the General
12 Revenue Fund as soon as practicable after the certification.

13 (k) For fiscal years ~~year~~ 2012 and 2013 only, after the
14 submission of all payments for eligible employees from personal
15 services line items paid from the General Revenue Fund in the
16 fiscal year have been made, the Comptroller shall provide to
17 the System a certification of the sum of all expenditures in
18 the fiscal year for personal services. Upon receipt of the
19 certification, the System shall determine the amount due to the
20 System based on the full rate certified by the Board under
21 Section 14-135.08 for the fiscal year in order to meet the
22 State's obligation under this Section. The System shall compare
23 this amount due to the amount received by the System for the
24 fiscal year. If the amount due is more than the amount
25 received, the difference shall be termed the "Prior Fiscal Year
26 Shortfall" for purposes of this Section, and the Prior Fiscal

1 Year Shortfall shall be satisfied under Section 1.2 of the
2 State Pension Funds Continuing Appropriation Act. If the amount
3 due is less than the amount received, the difference shall be
4 termed the "Prior Fiscal Year Overpayment" for purposes of this
5 Section, and the Prior Fiscal Year Overpayment shall be repaid
6 by the System to the General Revenue Fund as soon as
7 practicable after the certification.

8 (Source: P.A. 96-43, eff. 7-15-09; 96-45, eff. 7-15-09;
9 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1511, eff.
10 1-27-11; 96-1554, eff. 3-18-11; 97-72, eff. 7-1-11.)

11 Section 10-20. The Uniform Disposition of Unclaimed
12 Property Act is amended by changing Section 18 as follows:

13 (765 ILCS 1025/18) (from Ch. 141, par. 118)

14 Sec. 18. Deposit of funds received under the Act.

15 (a) The State Treasurer shall retain all funds received
16 under this Act, including the proceeds from the sale of
17 abandoned property under Section 17, in a trust fund. The State
18 Treasurer may deposit any amount in the Trust Fund into the
19 State Pensions Fund during the fiscal year at his or her
20 discretion; however, he or she shall, on April 15 and October
21 15 of each year, deposit any amount in the trust fund exceeding
22 \$2,500,000 into the State Pensions Fund. Beginning in State
23 fiscal year 2014, all ~~All~~ amounts in excess of \$2,500,000 that
24 are deposited into the State Pensions Fund from the unclaimed

1 Property Trust Fund shall be apportioned to the designated
2 retirement systems as provided in subsection (c-6) of Section
3 8.12 of the State Finance Act to reduce their actuarial reserve
4 deficiencies. He or she shall make prompt payment of claims he
5 or she duly allows as provided for in this Act for the trust
6 fund. Before making the deposit the State Treasurer shall
7 record the name and last known address of each person appearing
8 from the holders' reports to be entitled to the abandoned
9 property. The record shall be available for public inspection
10 during reasonable business hours.

11 (b) Before making any deposit to the credit of the State
12 Pensions Fund, the State Treasurer may deduct: (1) any costs in
13 connection with sale of abandoned property, (2) any costs of
14 mailing and publication in connection with any abandoned
15 property, and (3) any costs in connection with the maintenance
16 of records or disposition of claims made pursuant to this Act.
17 The State Treasurer shall semiannually file an itemized report
18 of all such expenses with the Legislative Audit Commission.

19 (Source: P.A. 95-950, eff. 8-29-08; 96-1000, eff. 7-2-10.)

20 ARTICLE 15. REGIONAL OFFICES OF EDUCATION

21 Section 15-5. The State Finance Act is amended by changing
22 Section 8.2 as follows:

23 (30 ILCS 105/8.2) (from Ch. 127, par. 144.2)

1 Sec. 8.2. Appropriations for the distribution of the common
2 school fund to the several counties and for the payment of
3 ~~salaries and~~ expenses of regional ~~county~~ superintendents of
4 schools and the amount to be paid into the Illinois State
5 teachers' pension and retirement fund and for the refund of
6 excess taxes paid into the common school fund are payable from
7 the common school fund.

8 (Source: Laws 1953, p. 1048.)

9 Section 15-10. The State Revenue Sharing Act is amended by
10 changing Section 12 as follows:

11 (30 ILCS 115/12) (from Ch. 85, par. 616)

12 Sec. 12. Personal Property Tax Replacement Fund. There is
13 hereby created the Personal Property Tax Replacement Fund, a
14 special fund in the State Treasury into which shall be paid all
15 revenue realized:

16 (a) all amounts realized from the additional personal
17 property tax replacement income tax imposed by subsections (c)
18 and (d) of Section 201 of the Illinois Income Tax Act, except
19 for those amounts deposited into the Income Tax Refund Fund
20 pursuant to subsection (c) of Section 901 of the Illinois
21 Income Tax Act; and

22 (b) all amounts realized from the additional personal
23 property replacement invested capital taxes imposed by Section
24 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue

1 Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and
2 Section 3 of the Water Company Invested Capital Tax Act, and
3 amounts payable to the Department of Revenue under the
4 Telecommunications Infrastructure Maintenance Fee Act.

5 As soon as may be after the end of each month, the
6 Department of Revenue shall certify to the Treasurer and the
7 Comptroller the amount of all refunds paid out of the General
8 Revenue Fund through the preceding month on account of
9 overpayment of liability on taxes paid into the Personal
10 Property Tax Replacement Fund. Upon receipt of such
11 certification, the Treasurer and the Comptroller shall
12 transfer the amount so certified from the Personal Property Tax
13 Replacement Fund into the General Revenue Fund.

14 The payments of revenue into the Personal Property Tax
15 Replacement Fund shall be used exclusively for distribution to
16 taxing districts, regional offices and officials for fiscal
17 years ~~year~~ 2012 and 2013 only, and local officials as provided
18 in this Section and in the School Code, payment of the ordinary
19 and contingent expenses of the Property Tax Appeal Board,
20 payment of the expenses of the Department of Revenue incurred
21 in administering the collection and distribution of monies paid
22 into the Personal Property Tax Replacement Fund and transfers
23 due to refunds to taxpayers for overpayment of liability for
24 taxes paid into the Personal Property Tax Replacement Fund.

25 As soon as may be after the effective date of this
26 amendatory Act of 1980, the Department of Revenue shall certify

1 to the Treasurer the amount of net replacement revenue paid
2 into the General Revenue Fund prior to that effective date from
3 the additional tax imposed by Section 2a.1 of the Messages Tax
4 Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of
5 the Public Utilities Revenue Act; Section 3 of the Water
6 Company Invested Capital Tax Act; amounts collected by the
7 Department of Revenue under the Telecommunications
8 Infrastructure Maintenance Fee Act; and the additional
9 personal property tax replacement income tax imposed by the
10 Illinois Income Tax Act, as amended by Public Act 81-1st
11 Special Session-1. Net replacement revenue shall be defined as
12 the total amount paid into and remaining in the General Revenue
13 Fund as a result of those Acts minus the amount outstanding and
14 obligated from the General Revenue Fund in state vouchers or
15 warrants prior to the effective date of this amendatory Act of
16 1980 as refunds to taxpayers for overpayment of liability under
17 those Acts.

18 All interest earned by monies accumulated in the Personal
19 Property Tax Replacement Fund shall be deposited in such Fund.
20 All amounts allocated pursuant to this Section are appropriated
21 on a continuing basis.

22 Prior to December 31, 1980, as soon as may be after the end
23 of each quarter beginning with the quarter ending December 31,
24 1979, and on and after December 31, 1980, as soon as may be
25 after January 1, March 1, April 1, May 1, July 1, August 1,
26 October 1 and December 1 of each year, the Department of

1 Revenue shall allocate to each taxing district as defined in
2 Section 1-150 of the Property Tax Code, in accordance with the
3 provisions of paragraph (2) of this Section the portion of the
4 funds held in the Personal Property Tax Replacement Fund which
5 is required to be distributed, as provided in paragraph (1),
6 for each quarter. Provided, however, under no circumstances
7 shall any taxing district during each of the first two years of
8 distribution of the taxes imposed by this amendatory Act of
9 1979 be entitled to an annual allocation which is less than the
10 funds such taxing district collected from the 1978 personal
11 property tax. Provided further that under no circumstances
12 shall any taxing district during the third year of distribution
13 of the taxes imposed by this amendatory Act of 1979 receive
14 less than 60% of the funds such taxing district collected from
15 the 1978 personal property tax. In the event that the total of
16 the allocations made as above provided for all taxing
17 districts, during either of such 3 years, exceeds the amount
18 available for distribution the allocation of each taxing
19 district shall be proportionately reduced. Except as provided
20 in Section 13 of this Act, the Department shall then certify,
21 pursuant to appropriation, such allocations to the State
22 Comptroller who shall pay over to the several taxing districts
23 the respective amounts allocated to them.

24 Any township which receives an allocation based in whole or
25 in part upon personal property taxes which it levied pursuant
26 to Section 6-507 or 6-512 of the Illinois Highway Code and

1 which was previously required to be paid over to a municipality
2 shall immediately pay over to that municipality a proportionate
3 share of the personal property replacement funds which such
4 township receives.

5 Any municipality or township, other than a municipality
6 with a population in excess of 500,000, which receives an
7 allocation based in whole or in part on personal property taxes
8 which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the
9 Illinois Local Library Act and which was previously required to
10 be paid over to a public library shall immediately pay over to
11 that library a proportionate share of the personal property tax
12 replacement funds which such municipality or township
13 receives; provided that if such a public library has converted
14 to a library organized under The Illinois Public Library
15 District Act, regardless of whether such conversion has
16 occurred on, after or before January 1, 1988, such
17 proportionate share shall be immediately paid over to the
18 library district which maintains and operates the library.
19 However, any library that has converted prior to January 1,
20 1988, and which hitherto has not received the personal property
21 tax replacement funds, shall receive such funds commencing on
22 January 1, 1988.

23 Any township which receives an allocation based in whole or
24 in part on personal property taxes which it levied pursuant to
25 Section 1c of the Public Graveyards Act and which taxes were
26 previously required to be paid over to or used for such public

1 cemetery or cemeteries shall immediately pay over to or use for
2 such public cemetery or cemeteries a proportionate share of the
3 personal property tax replacement funds which the township
4 receives.

5 Any taxing district which receives an allocation based in
6 whole or in part upon personal property taxes which it levied
7 for another governmental body or school district in Cook County
8 in 1976 or for another governmental body or school district in
9 the remainder of the State in 1977 shall immediately pay over
10 to that governmental body or school district the amount of
11 personal property replacement funds which such governmental
12 body or school district would receive directly under the
13 provisions of paragraph (2) of this Section, had it levied its
14 own taxes.

15 (1) The portion of the Personal Property Tax
16 Replacement Fund required to be distributed as of the time
17 allocation is required to be made shall be the amount
18 available in such Fund as of the time allocation is
19 required to be made.

20 The amount available for distribution shall be the
21 total amount in the fund at such time minus the necessary
22 administrative and other authorized expenses as limited by
23 the appropriation and the amount determined by: (a) \$2.8
24 million for fiscal year 1981; (b) for fiscal year 1982,
25 .54% of the funds distributed from the fund during the
26 preceding fiscal year; (c) for fiscal year 1983 through

1 fiscal year 1988, .54% of the funds distributed from the
2 fund during the preceding fiscal year less .02% of such
3 fund for fiscal year 1983 and less .02% of such funds for
4 each fiscal year thereafter; (d) for fiscal year 1989
5 through fiscal year 2011 no more than 105% of the actual
6 administrative expenses of the prior fiscal year; (e) for
7 fiscal year 2012 and beyond, a sufficient amount to pay (i)
8 stipends, additional compensation, salary reimbursements,
9 and other amounts directed to be paid out of this Fund for
10 local officials as authorized or required by statute and
11 (ii) no more than 105% of the actual administrative
12 expenses of the prior fiscal year, including payment of the
13 ordinary and contingent expenses of the Property Tax Appeal
14 Board and payment of the expenses of the Department of
15 Revenue incurred in administering the collection and
16 distribution of moneys paid into the Fund; or (f) for
17 fiscal years ~~year~~ 2012 and 2013 only, a sufficient amount
18 to pay stipends, additional compensation, salary
19 reimbursements, and other amounts directed to be paid out
20 of this Fund for regional offices and officials as
21 authorized or required by statute. Such portion of the fund
22 shall be determined after the transfer into the General
23 Revenue Fund due to refunds, if any, paid from the General
24 Revenue Fund during the preceding quarter. If at any time,
25 for any reason, there is insufficient amount in the
26 Personal Property Tax Replacement Fund for payments for

1 regional offices and officials or local officials or
2 payment of costs of administration or for transfers due to
3 refunds at the end of any particular month, the amount of
4 such insufficiency shall be carried over for the purposes
5 of payments for regional offices and officials, local
6 officials, transfers into the General Revenue Fund, and
7 costs of administration to the following month or months.
8 Net replacement revenue held, and defined above, shall be
9 transferred by the Treasurer and Comptroller to the
10 Personal Property Tax Replacement Fund within 10 days of
11 such certification.

12 (2) Each quarterly allocation shall first be
13 apportioned in the following manner: 51.65% for taxing
14 districts in Cook County and 48.35% for taxing districts in
15 the remainder of the State.

16 The Personal Property Replacement Ratio of each taxing
17 district outside Cook County shall be the ratio which the Tax
18 Base of that taxing district bears to the Downstate Tax Base.
19 The Tax Base of each taxing district outside of Cook County is
20 the personal property tax collections for that taxing district
21 for the 1977 tax year. The Downstate Tax Base is the personal
22 property tax collections for all taxing districts in the State
23 outside of Cook County for the 1977 tax year. The Department of
24 Revenue shall have authority to review for accuracy and
25 completeness the personal property tax collections for each
26 taxing district outside Cook County for the 1977 tax year.

1 The Personal Property Replacement Ratio of each Cook County
2 taxing district shall be the ratio which the Tax Base of that
3 taxing district bears to the Cook County Tax Base. The Tax Base
4 of each Cook County taxing district is the personal property
5 tax collections for that taxing district for the 1976 tax year.
6 The Cook County Tax Base is the personal property tax
7 collections for all taxing districts in Cook County for the
8 1976 tax year. The Department of Revenue shall have authority
9 to review for accuracy and completeness the personal property
10 tax collections for each taxing district within Cook County for
11 the 1976 tax year.

12 For all purposes of this Section 12, amounts paid to a
13 taxing district for such tax years as may be applicable by a
14 foreign corporation under the provisions of Section 7-202 of
15 the Public Utilities Act, as amended, shall be deemed to be
16 personal property taxes collected by such taxing district for
17 such tax years as may be applicable. The Director shall
18 determine from the Illinois Commerce Commission, for any tax
19 year as may be applicable, the amounts so paid by any such
20 foreign corporation to any and all taxing districts. The
21 Illinois Commerce Commission shall furnish such information to
22 the Director. For all purposes of this Section 12, the Director
23 shall deem such amounts to be collected personal property taxes
24 of each such taxing district for the applicable tax year or
25 years.

26 Taxing districts located both in Cook County and in one or

1 more other counties shall receive both a Cook County allocation
2 and a Downstate allocation determined in the same way as all
3 other taxing districts.

4 If any taxing district in existence on July 1, 1979 ceases
5 to exist, or discontinues its operations, its Tax Base shall
6 thereafter be deemed to be zero. If the powers, duties and
7 obligations of the discontinued taxing district are assumed by
8 another taxing district, the Tax Base of the discontinued
9 taxing district shall be added to the Tax Base of the taxing
10 district assuming such powers, duties and obligations.

11 If two or more taxing districts in existence on July 1,
12 1979, or a successor or successors thereto shall consolidate
13 into one taxing district, the Tax Base of such consolidated
14 taxing district shall be the sum of the Tax Bases of each of
15 the taxing districts which have consolidated.

16 If a single taxing district in existence on July 1, 1979,
17 or a successor or successors thereto shall be divided into two
18 or more separate taxing districts, the tax base of the taxing
19 district so divided shall be allocated to each of the resulting
20 taxing districts in proportion to the then current equalized
21 assessed value of each resulting taxing district.

22 If a portion of the territory of a taxing district is
23 disconnected and annexed to another taxing district of the same
24 type, the Tax Base of the taxing district from which
25 disconnection was made shall be reduced in proportion to the
26 then current equalized assessed value of the disconnected

1 territory as compared with the then current equalized assessed
2 value within the entire territory of the taxing district prior
3 to disconnection, and the amount of such reduction shall be
4 added to the Tax Base of the taxing district to which
5 annexation is made.

6 If a community college district is created after July 1,
7 1979, beginning on the effective date of this amendatory Act of
8 1995, its Tax Base shall be 3.5% of the sum of the personal
9 property tax collected for the 1977 tax year within the
10 territorial jurisdiction of the district.

11 The amounts allocated and paid to taxing districts pursuant
12 to the provisions of this amendatory Act of 1979 shall be
13 deemed to be substitute revenues for the revenues derived from
14 taxes imposed on personal property pursuant to the provisions
15 of the "Revenue Act of 1939" or "An Act for the assessment and
16 taxation of private car line companies", approved July 22,
17 1943, as amended, or Section 414 of the Illinois Insurance
18 Code, prior to the abolition of such taxes and shall be used
19 for the same purposes as the revenues derived from ad valorem
20 taxes on real estate.

21 Monies received by any taxing districts from the Personal
22 Property Tax Replacement Fund shall be first applied toward
23 payment of the proportionate amount of debt service which was
24 previously levied and collected from extensions against
25 personal property on bonds outstanding as of December 31, 1978
26 and next applied toward payment of the proportionate share of

1 the pension or retirement obligations of the taxing district
2 which were previously levied and collected from extensions
3 against personal property. For each such outstanding bond
4 issue, the County Clerk shall determine the percentage of the
5 debt service which was collected from extensions against real
6 estate in the taxing district for 1978 taxes payable in 1979,
7 as related to the total amount of such levies and collections
8 from extensions against both real and personal property. For
9 1979 and subsequent years' taxes, the County Clerk shall levy
10 and extend taxes against the real estate of each taxing
11 district which will yield the said percentage or percentages of
12 the debt service on such outstanding bonds. The balance of the
13 amount necessary to fully pay such debt service shall
14 constitute a first and prior lien upon the monies received by
15 each such taxing district through the Personal Property Tax
16 Replacement Fund and shall be first applied or set aside for
17 such purpose. In counties having fewer than 3,000,000
18 inhabitants, the amendments to this paragraph as made by this
19 amendatory Act of 1980 shall be first applicable to 1980 taxes
20 to be collected in 1981.

21 (Source: P.A. 96-45, eff. 7-15-09; 97-72, eff. 7-1-11; 97-619,
22 eff. 11-14-11.)

23 Section 15-15. The School Code is amended by changing
24 Sections 3-2.5 and 18-5 as follows:

1 (105 ILCS 5/3-2.5)

2 Sec. 3-2.5. Salaries.

3 (a) Except as otherwise provided in this Section, the
4 regional superintendents of schools shall receive for their
5 services an annual salary according to the population, as
6 determined by the last preceding federal census, of the region
7 they serve, as set out in the following schedule:

8 SALARIES OF REGIONAL SUPERINTENDENTS OF
9 SCHOOLS

10	POPULATION OF REGION	ANNUAL SALARY
11	Less than 48,000	\$73,500
12	48,000 to 99,999	\$78,000
13	100,000 to 999,999	\$81,500
14	1,000,000 and over	\$83,500

15 The changes made by Public Act 86-98 in the annual salary
16 that the regional superintendents of schools shall receive for
17 their services shall apply to the annual salary received by the
18 regional superintendents of schools during each of their
19 elected terms of office that commence after July 26, 1989 and
20 before the first Monday of August, 1995.

21 The changes made by Public Act 89-225 in the annual salary
22 that regional superintendents of schools shall receive for
23 their services shall apply to the annual salary received by the
24 regional superintendents of schools during their elected terms
25 of office that commence after August 4, 1995 and end on August
26 1, 1999.

1 The changes made by this amendatory Act of the 91st General
2 Assembly in the annual salary that the regional superintendents
3 of schools shall receive for their services shall apply to the
4 annual salary received by the regional superintendents of
5 schools during each of their elected terms of office that
6 commence on or after August 2, 1999.

7 Beginning July 1, 2000, the salary that the regional
8 superintendent of schools receives for his or her services
9 shall be adjusted annually to reflect the percentage increase,
10 if any, in the most recent Consumer Price Index, as defined and
11 officially reported by the United States Department of Labor,
12 Bureau of Labor Statistics, except that no annual increment may
13 exceed 2.9%. If the percentage of change in the Consumer Price
14 Index is a percentage decrease, the salary that the regional
15 superintendent of schools receives shall not be adjusted for
16 that year.

17 When regional superintendents are authorized by the School
18 Code to appoint assistant regional superintendents, the
19 assistant regional superintendent shall receive an annual
20 salary based on his or her qualifications and computed as a
21 percentage of the salary of the regional superintendent to whom
22 he or she is assistant, as set out in the following schedule:

23 SALARIES OF ASSISTANT REGIONAL
24 SUPERINTENDENTS

QUALIFICATIONS OF	PERCENTAGE OF SALARY
ASSISTANT REGIONAL	OF REGIONAL

1	SUPERINTENDENT	SUPERINTENDENT
2	No Bachelor's degree, but State	
3	certificate valid for teaching	
4	and supervising.	70%
5	Bachelor's degree plus	
6	State certificate valid	
7	for supervising.	75%
8	Master's degree plus	
9	State certificate valid	
10	for supervising.	90%

11 However, in any region in which the appointment of more
12 than one assistant regional superintendent is authorized,
13 whether by Section 3-15.10 of this Code or otherwise, not more
14 than one assistant may be compensated at the 90% rate and any
15 other assistant shall be paid at not exceeding the 75% rate, in
16 each case depending on the qualifications of the assistant.

17 The salaries provided in this Section plus an amount for
18 other employment-related compensation or benefits for regional
19 superintendents and assistant regional superintendents are
20 payable monthly by the State Board of Education out of the
21 Personal Property Tax Replacement Fund through a specific
22 appropriation to that effect in the State Board of Education
23 budget for the fiscal years ~~year~~ 2012 and 2013 only, and are
24 payable monthly from the Common School Fund for fiscal year
25 2014 ~~2013~~ and beyond through a specific appropriation to that
26 effect in the State Board of Education budget. The State

1 Comptroller in making his or her warrant to any county for the
2 amount due it from the Personal Property Tax Replacement Fund
3 for the fiscal years ~~year~~ 2012 and 2013 only, and from the
4 Common School Fund for fiscal year 2014 ~~2013~~ and beyond shall
5 deduct from it the several amounts for which warrants have been
6 issued to the regional superintendent, and any assistant
7 regional superintendent, of the educational service region
8 encompassing the county since the preceding apportionment from
9 the Personal Property Tax Replacement Fund for the fiscal years
10 ~~year~~ 2012 and 2013 only, and from the Common School Fund for
11 fiscal year 2014 ~~2013~~ and beyond.

12 County boards may provide for additional compensation for
13 the regional superintendent or the assistant regional
14 superintendents, or for each of them, to be paid quarterly from
15 the county treasury.

16 (b) Upon abolition of the office of regional superintendent
17 of schools in educational service regions containing 2,000,000
18 or more inhabitants as provided in Section 3-0.01 of this Code,
19 the funds provided under subsection (a) of this Section shall
20 continue to be appropriated and reallocated, as provided for
21 pursuant to subsection (b) of Section 3-0.01 of this Code, to
22 the educational service centers established pursuant to
23 Section 2-3.62 of this Code for an educational service region
24 containing 2,000,000 or more inhabitants.

25 (c) If the State pays all or any portion of the employee
26 contributions required under Section 16-152 of the Illinois

1 Pension Code for employees of the State Board of Education, it
2 shall also, subject to appropriation in the State Board of
3 Education budget for such payments to Regional Superintendents
4 and Assistant Regional Superintendents, pay the employee
5 contributions required of regional superintendents of schools
6 and assistant regional superintendents of schools on the same
7 basis, but excluding any contributions based on compensation
8 that is paid by the county rather than the State.

9 This subsection (c) applies to contributions based on
10 payments of salary earned after the effective date of this
11 amendatory Act of the 91st General Assembly, except that in the
12 case of an elected regional superintendent of schools, this
13 subsection does not apply to contributions based on payments of
14 salary earned during a term of office that commenced before the
15 effective date of this amendatory Act.

16 (Source: P.A. 96-893, eff. 7-1-10; 96-1086, eff. 7-16-10;
17 97-333, eff. 8-12-11; 97-619, eff. 11-14-11.)

18 (105 ILCS 5/18-5) (from Ch. 122, par. 18-5)

19 Sec. 18-5. Compensation of regional superintendents and
20 assistants. The State Board of Education shall request an
21 appropriation payable from the Personal Property Tax
22 Replacement Fund for fiscal years ~~year~~ 2012 and 2013 only, and
23 the common school fund for fiscal year 2014 ~~2013~~ and beyond as
24 and for compensation for regional superintendents of schools
25 and the assistant regional superintendents of schools

1 authorized by Section 3-15.10 of this Act, and as provided in
2 "An Act concerning fees and salaries and to classify the
3 several counties of this State with reference thereto",
4 approved March 29, 1872 as amended, and shall present vouchers
5 to the Comptroller monthly for the payment to the several
6 regional superintendents and such assistant regional
7 superintendents of their compensation as fixed by law. Such
8 payments shall be made either (1) monthly, at the close of the
9 month, or (2) semimonthly on or around the 15th of the month
10 and at the close of the month, at the option of the regional
11 superintendent or assistant regional superintendent.

12 (Source: P.A. 97-619, eff. 11-14-11.)

13 ARTICLE 20. GRANT FUNDS RECOVERY ACT

14 Section 20-5. The Illinois Grant Funds Recovery Act is
15 amended by changing Section 4.2 as follows:

16 (30 ILCS 705/4.2)

17 Sec. 4.2. Suspension of grant making authority. Any grant
18 funds and any grant program administered by a grantor agency
19 subject to this Act are indefinitely suspended on January 1,
20 2013 ~~July 1, 2012~~, and on July 1st of every 5th year
21 thereafter, unless the General Assembly, by law, authorizes
22 that grantor agency to make grants or lifts the suspension of
23 the authorization of that grantor agency to make grants. In the

1 case of a suspension of the authorization of a grantor agency
2 to make grants, the authority of that grantor agency to make
3 grants is suspended until the suspension is explicitly lifted
4 by law by the General Assembly, even if an appropriation has
5 been made for the explicit purpose of such grants. This
6 suspension of grant making authority supersedes any other law
7 or rule to the contrary.

8 (Source: P.A. 96-1529, eff. 2-16-11.)

9 ARTICLE 95. SEVERABILITY

10 Section 95-95. Severability. The provisions of this Act are
11 severable under Section 1.31 of the Statute on Statutes.

12 ARTICLE 99. EFFECTIVE DATE

13 Section 99-99. Effective date. This Act takes effect upon
14 becoming law."